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VIEWS AND REVIEWS

I

CHICAGO adopted the non-partisan ballot in November. Boston and Cleveland have had it for years. About one-third of the cities, those having the commission or commission-manager form, have it. The charter commission that fails to provide it nowadays carries the burden of proof, for a new charter with partisan elections is an exception.

Like all governmental reforms, it somewhat disappoints both its friends and its enemies. Consider Akron and Altoona! Akron has the non-partisan feature in its charter, but the election went Republican nevertheless. The logical man for city manager is a Democrat, and so the commission at present writing is wondering whether it may presume to put the newly-elected mayor into the managership. Altoona, on the other hand, after having the non-partisan ballot for two years, was deprived thereof by the legislature without its consent. Forthwith it proceeded adroitly to run Republicans in Democratic primaries and Democrats in Republican primaries and re-elected the same group which had come into office two years before in the then non-partisan election, thus despite the partisan ballot, achieving all the essentials of what we call non-partisanship!

A town, however, which overwhelm-

ingly elects two Republicans and three Democrats, may not by that fact alone plume itself upon its non-partisanship; it may rather have bipartisanship! It should be able, if things happen to break that way, to elect five Democrats without particularly noticing so irrelevant a detail, just as it might ignore the fact that all five were Presbyterians.

On the other hand, the private conference of leading business men and well-meaning politicians which erects a combination ticket that is assured of election from the start, is just as definitely ring rule as any other and may become even more solidly entrenched against revolt. Under the partisan ballot, there may be more certainty of healthful contest, and the group of leading philanthropic citizens whose ordinary aloofness and whose ability to finance a revolt, is an important safety-valve, may be more effective than if pre-organized into the combination.

Such combinations, are of course, eminently practical. Their records are generally records of real devotion to the public welfare and of good and unhampered administration, tempered by an honest reluctance ever to let such power slip into less trusted hands. The outs, clustering hopelessly around any available disgruntled leader, or around the socialist organization, attack with a viciousness that is utilized

to cover their scarcity of tangible and honest complaint. Broad-gauged, tolerant, efficient and earnestly-deferential management at city hall may hold them off indefinitely. A cocky, shallow manager and a naively class-blinded commission of good business men may irritate them into frenzy.

II

In such circumstances of pressure, it is the democratic thing to do (but if you are talking to a Tory, you had better say 'good tactics') to provide a suitable safety-valve. The correct safety-valve is accurate and proportional representation of the disgruntled element. It will not suffice, in the long run, to nominate a labor member, hand-picked and docile, on the combination ticket.

The need is best met by the Hare plan of proportional representation, as in Ashtabula and Kalamazoo. The NATIONAL MUNICIPAL REVIEW has carefully told the story of every one of these proportional elections (except the one last November in Kalamazoo, the story of which is expected in the next issue). Both the Kalamazoo and the Ashtabula experiences indicate on the part of some conservative people an intolerance matched only by the intolerance of the Reds and a reluctance to see other kinds of people sharing power at city hall. Such a spirit in a proportional representation election does no harm to anybody; but in an election on the straight majority plan with its necessity for ticket-making, for organization, for private barter and trade and chess play, such conservative intolerance may find itself in a position to plug the safety valve and thus unwittingly arrange for an explosion.

That form of government is most democratic which needs the least private and volunteer organization

to enable it to operate. The non-partisan ballot in the commission-manager form has most wholesomely minimized the opportunities and function of the politician, professional or amateur, and has so clarified municipal politics in case after case, that we get, for once in American politics, a political situation simple enough for rather an exact analysis. In that clarified atmosphere, the merits of proportional representation cease to appear academic and can be proved as to specific cases. No one can read the accounts of the elections in Ashtabula and Kalamazoo without realizing that here is the ideal of non-partisanship, a substitution of genuine and natural cleavages for the meaningless battles between Republicans and Democrats in municipal elections.

III

We have never taken much stock in those arguments for porportional representation which rest upon the theory of vigorous clashes of opinion among the people of a city on municipal issues, for it is only occasionally in municipal politics that genuine issues of policy become important considerations to the average voter. The municipal voter picks men rather than policies and votes for his own kind. The Kalamazoo election of November 1919 seems to have been the first of the five proportional representation elections where a great issue of public policy split the town. But the existence of the referendum procedure largely spoiled the opportunity to use the election of the council as the battle-ground.

Kalamazoo voted down the referendum that called for a municipal lighting plant and on the same day re-elected a majority of the commission which had proposed it!

HOW THE RECALL WORKED IN CHARLOTTE

BY F. M. SHANNONHOUSE

Charlotte, North Carolina

The literature of the recall is slender because this instrument is rarely utilized. In Charlotte, North Carolina, it was recently tested under ideally difficult conditions. :: :: :: :: :: :: :: :: :: ::

I

EARLY in the spring the Highland Park cotton mills in Charlotte, one of the largest mills in the city, reduced wages of all employes about 30 per cent. The employes quit work and commenced to organize unions. The Johnston mills, located just outside the city, but under the same management, and the Mecklenburg mills, under another management, commenced to discharge union employes. Strikes followed in both these mills, followed by peaceful picketing, which resulted in numerous fights and disorders. Numerous arrests were made, resulting in some convictions, in which cases appeals were taken to the higher court, and others were bound over to the higher court for more serious offenses.

All this happened outside of the city and beyond the jurisdiction of the police. During all this time union strikers continually harassed, threatened, frightened and drove away non-union employes at the mills in the city and outside the city, resulting in a continual state of lawlessness and disorder.

The city commissioners were constantly appealed to by mill managements to protect non-union employes and preserve order. They did nothing further than send out officers to disperse mobs which immediately re-

formed after the officers departed. Public sentiment in the community was almost unanimously against the mills because of the cut in wages and the discharge of employes for joining the union. There was no newspaper publicity given lawlessness and disorder. Members of the Commission frequently requested employers to consent to arbitration, which employers refused until law was enforced, order restored and persons protected.

Upon the convening of the Superior Court, the solicitor of the judicial district permitted the appeals to be withdrawn or nol prossed, or permitted submissions upon payment of costs in the cases bound over. Lawlessness and disorder grew worse and worse, owing to the attitude and inaction of the city commissioners, police department and solicitor of the judicial district.

Finally the city commissioners appealed to the governor for troops to enforce order, the situation having gone beyond local officers. The governor agreed to send troops, stating he would make public announcement that the employers were in the wrong. Immediately the employers posted notices that the mills would be opened on a fixed date and that there would be no discrimination on account of membership or non-membership in any union or other organization, consenting to

deal with committees of employes, but refusing to deal with persons other than employes. The mills opened up. The governor issued a proclamation declaring in unmistakable terms for the open shop.

II

For some months the city health officer had been engaged in enforcing ordinances to secure a more sanitary milk supply. The dairymen organized and contested and denied the right of the city to levy a \$1.00 license to do business in the city, and the dairymen found numerous supporters in the city among former antagonists of the administration. Some friends of the dairymen suggested a recall. After some weeks a local Republican politician, with the assistance of an attorney for some of the dairymen, drafted a recall petition and put it in circulation. It was circulated by former opponents of the administration, together with some persons opposed to the administration because of failure to enforce the law and preserve order during the cotton mills strikes, but little interest was manifested in the petition.

Next the street car employes organized a union and struck, stopping all cars for several weeks. A voluntary committee of citizens, headed by the mayor, the street car company not being represented, undertook to pass on and arbitrate the street car strike, and made a report sustaining the strikers, together with their demand for recognition of the International Brotherhood, the one demand the street car company continually and consistently refused.

Finally the street car company imported some strike breakers and started a few cars to moving. On the first day mobs all over the city, composed of delegations from the various cotton

mills, stoned the cars and engaged in other lawlessness. The police force remained practically inactive. The day the cars stopped, and the disorders above mentioned occurred, Monday, August 25, numbers of reputable citizens signed the petition for a recall and others threatened to sign unless order was maintained.

During the day word was circulated that unionists from near-by towns would arrive that night to drive away the strike breakers. The administration stationed 30 policemen at the car barn. The threatened delegations from other towns did not arrive, but a mob formed in front of the car barn, witnessed by one thousand or more citizens standing at a respectful distance, making threats against the strikers, calling for dynamite and demanding an officer, a policeman, who, in trying to disperse a mob which tried to gain admittance to the car barn, had knocked down one of the mob.

About 12.20 a. m., after the spectators had departed, the mob in front of the car barn had a conference and voted to enter the car barn and "get" the strike breakers. Upon approaching the barn a shot was fired—the mob claims by chief of police, the policemen claim by a member of the mob—immediately followed by promiscuous shooting, resulting in five of the mob being killed and twenty or thirty others being wounded.

III

Peace, long delayed, reigned. Immediately the demand for the recall was taken by the mob, and a large portion of union labor, led by the *Union Herald*, a union paper edited by an imported labor agitator recently returned from a long stay in Russia. A committee nominated officers to

run on the recall petition. A lawyer headed the candidates for mayor, and a former hardware clerk, defeated in the last election for commissioner for public works, was selected for candidate for public works, and a retail groceryman, living in a cotton mill section, was candidate for commissioner of public safety.

The recall candidate for mayor made the issue the unlawful shooting at the car barn. The attitude of a large number who had originally signed the recall petition suddenly reversed. Our newspapers and citizens, neutral so far as unionism was concerned, accepted the issue, waged a fight and defeated the recall petition candidate by a vote of 3,300 to 1,900, the biggest election ever held in the city.

It was not a question of candidates. It was simply a question of enforcement of the law for the present and the future. The city commissioners, unionists and all others have learned where this community stands on that issue.

While the recall is condemned by a great many, it is the opinion of many familiar with the apathy and indifference on the part of a majority of the citizens that the recall election led to a campaign of education and action absolutely necessary and essential to head off a rapidly growing spirit of bolshevism, class autocracy and political chaos such as would have led to results unknown. For the present we have peace and quiet.

The above rather lengthy narration of events is based on my own personal knowledge and observation. I cannot escape the conviction that all our troubles preceding the recall election, and the recall election itself, were brought on by the failure of the city

commissioners and the proper officers of the law to properly discharge their duties in upholding and enforcing law.

I should state that the federated unions have employed attorneys and are prosecuting the policemen present at the car barn, on warrants charging murder. The evidence of the prosecution is gradually disclosing the personnel of the mob, its purposes and intentions, just as I have stated above. This prosecution will result in nothing but the acquittal of the policemen and will serve the same good purpose as the recall election did in fortifying the sensible portion of our people in their action in the recall election and in warning the lawless element that we must and shall have peace.

The "Recall" rendered an invaluable service under our most trying conditions, and amply justified its inclusion in our charter. Present and new conditions make necessary some proper agency for the majority to ascertain immediately where they stand, and whether or not the majority shall rule, and particularly so when the City Government is committed to the hands of three or a few men with full legislative and executive authority. The "Recall Election" brought out one thousand to fifteen hundred voters more than ever voted in a City election, because it was not "politics." It was law, order, security, life for all—the union man and the non-union man. The fire was quenched instead of being allowed to smoulder for months awaiting a regular election, while the peripatetic agitator and selfish and unscrupulous office seeker would have fanned the flame of hatred and discontent in the community by his misrepresentations.

SINGLE TAX PROGRESS IN MARYLAND

BY CHARLES J. OGLE

Secretary, Maryland Tax Reform Association

The Maryland Law of 1916 which gave towns the right to exempt personality and buildings from taxation is beginning to bear interesting fruit in the form of small towns that only tax land. The effort toward this end in Baltimore encountered legal obstruction. :: ::

I

A LIVELY campaign for two tax reform measures of far-reaching importance was brought to a sudden halt ten days before the November election in Baltimore, when the Maryland Court of Appeals reversed the decision of a local court and granted an injunction prayed for by certain landed interests keeping the measures from being printed on the ballot. The measures in question were proposed amendments to the charter of Baltimore which were petitioned for by approximately 22,000 registered voters.

A year ago Baltimore adopted a so-called home rule charter so as to come under the provisions of a recent amendment to the state constitution. This latter provided that such a charter could be amended by the voters, the amendments being proposed by resolution of the mayor and city council or by petitions signed by 10,000 registered voters. More than double this number supported each of the proposed changes.

Petition No. 1 was to make taxes uniform throughout the Old Annex, which became a part of Baltimore City in 1888. The measure with its preamble read as follows:

WHEREAS, The territory annexed to Baltimore City in the year 1888, now commonly called the Old Annex, was expected at that time to be practically all brought under the

full city rate of taxation by the year 1906; and

WHEREAS, A section of said Old Annex, representing an assessed value of about \$23,000,-000 is still taxed at only 67 cents, or one-third of the regular city rate, a rate of taxation considerably lower than applies on property in the remotest section of Baltimore county, although said Old Annex enjoys city jurisdiction; and

WHEREAS, Another section of said Old Annex, representing an assessed value of about \$27,500,-000, still enjoys a favored rate of \$1.30 although consisting of a highly developed and exceedingly valuable residential section which obtains all municipal advantages; and

WHEREAS, The above sections have been for many years unfairly favored at the expense of the property owners in the old city; therefore

The charter of Baltimore City shall be and the same is hereby amended by repealing all of section 4 of article I of said charter and substituting in lieu thereof the following:

"4. All property, real, and personal, situated or held in the territory annexed to Baltimore City by the act of 1888, chapter 98, shall be subject to levy, taxation and assessment in the same manner and form and at the same rate of taxation as property of similar character or description within the limits of said city as they existed prior to the passage of said act may be subject."

The substantial justice of this proposal was generally recognized. The quasi-exemptions enjoyed by the sections referred to have long been a sore spot with full rate taxpayers, and many of the beneficiaries themselves announced their intention of supporting the measure on the high grounds of justice and equality.

Petition No. 2, which excited more

comment, provided for the exemption of merchandise and a gradual reduction of the tax rate upon buildings down to 50 per cent of the regular city rate.

The measure read:

In order to encourage the growth and development of commercial enterprises in Baltimore City and to lessen the cost of goods therein, beginning with the assessment and levy of city taxes for the year 1921 and thereafter, all merchandise held for sale shall be exempt from taxation for all ordinary municipal purposes.

To stimulate the erection of buildings and general city development and to encourage home-owning, it is hereby provided that for the year 1922 no building shall be taxed by the city for ordinary municipal purposes at more than 90 per cent of the regular city rate prevailing in the same taxing district; for the year 1923 no building shall be taxed at more than 80 per cent of the regular city rate in such district; for the year 1924 no building shall be taxed at more than 70 per cent; for the year 1925 at more than 60 per cent; and for the year 1926 and thereafter no building shall be taxed at more than 50 per cent of the regular city rate prevailing in said district. Any and all portions of this charter in conflict or inconsistent with this subsection are hereby repealed.

Baltimore merchants not only pay a traders' license based upon their stock of goods, but in addition pay the full rate of taxation upon merchandise the same as upon real estate. None of the Pennsylvania cities tax merchandise at all, the mercantile tax on sales in that state running about the same as the traders' license system here. As a consequence, merchants in Baltimore are placed at a disadvantage when competing with mercantile houses in Pennsylvania. Instances are cited of great concerns establishing distributing houses in Philadelphia instead of Baltimore because of our taxation of merchandise. Such happenings, of course, tend to lessen opportunities for employment in Baltimore and affect our real estate values adversely.

The 10 per cent reduction in the tax rate upon buildings is similar to the so-called "Pittsburgh plan of taxation" which has been in effect in Pittsburgh and Scranton since 1913, the only difference being that the proposed reduction was to be annual instead of triennial, as in those places.

This was attacked as being "single tax," the newspapers always speaking of it as such, and the brief filed against it in the court proceedings being abusive in the extreme, calling its advocates socialists, anarchists, bolshevists, cranks, etc.

As a matter of fact, although the plan was put forward by single-taxers and did constitute a step in the direction of single tax, it was a very conservative one. Baltimore gets more of its taxes from buildings and personal property and less from land than other cities of its size; 60 per cent of its real estate basis is made up from buildings and only 40 per cent from land, whereas in a number of other cities this proportion is reversed. Baltimore is said to be the only large city where the building assessment exceeds the land assessment. Her per capita land assessment is only about \$300 as against something like \$800 to \$900 in New York, Pittsburgh, Boston and other places. Bearing these facts in mind the proposed plan would appear to do little more than put Baltimore on a par with other cities in the matter of increasing the proportion of its revenues derived from land.

It is to be regretted that the campaign could not have been carried to a conclusion and the sentiment of Baltimore's voters obtained with respect to the proposed changes. The adoption of the Annex measure was regarded as almost certain, and the other proposal had at least a good fighting chance, notwithstanding the lack of newspaper support and the

organized opposition of certain real estate interests. Ten of the eleven members of the home rule charter commission had announced their intention of supporting both measures.

II

A number of small towns in Maryland are much further advanced in the matter of local taxation. The legislature of 1916 passed a general law giving incorporated towns the power to determine the classes of property which shall be subject to taxation for local purposes within their respective jurisdiction. Acting under this law the towns of Perryville in Cecil county and Capitol Heights in Prince George's county abolished the taxes on improvements and personal property in 1917 and since that time have been raising their entire local revenues from land values.

Garrett Park in Montgomery county, where the tax rate had been 50 cents on all classes of property, lowered its rate to 30 cents on buildings and personal property and raised it to 80 cents on land values.

Hyattsville, in 1918, exempted personal property and made the rate 75 cents on buildings as against 85 cents on land. As far back as 1892 this town adopted the straight single tax by completely exempting buildings and personal property. The court of appeals declared this in conflict with the General Property Tax Provision, which at that time was in the state constitution, so they had to abandon it. This provision was stricken out of the constitution by the voters in 1915. In 1917 Hyattsville had a trial election, the voters declaring 3 to 1 in favor of going back to the single-tax method, but as yet the town council of Hyattsville has not complied with their wishes, except to wipe out the

taxation of personal property. They had under consideration the removal of the tax on improvements this spring, and the mayor and town clerk of Capitol Heights attended the Hyattsville board meeting and told of the benefits which their town was deriving from the plan; but two or three large land speculators fought it so bitterly that no further steps were taken.

For nearly twenty years the town of Takoma Park (population 2,500) has been exempting personal property and assessing buildings at one-third of their value and land at two-thirds for the purposes of local taxation. The constitutionality of this appears to have never been questioned, and the plan has become firmly established by common consent of the citizens.

The mayor and council of Easton, one of the larger towns on the eastern shore of Maryland, became thoroughly imbued with the idea of exempting improvements and personal property a year or so ago and as a first step had a reassessment made by the Somers method of assessment, which more than doubled the assessment on land and slightly reduced it on buildings. A new mayor went into office about the time the reassessment was finished, however, and he decided that the lot owners' taxes had been so increased that no further steps should be taken to relieve buildings and personal property.

The mayor and council of Laurel (population 2,500) have decided to put up to the voters next spring the question of exempting buildings from their general levy.

The famous suburban development of Roland Park has always levied for its maintenance charges upon land alone.

The Maryland Court of Appeals in enjoining the supervisors of elections from printing the Baltimore measures

upon the ballot stated that they were in excess of the powers granted to Baltimore by the home rule provision of the state constitution. The reasons were not given out until several weeks later.

As matters now stand the counties of Maryland have been given a grant of powers under which they can adopt a

charter and determine what classes of property shall be levied on, and all incorporated towns in the state have like powers in the matter of taxation, but Baltimore City according to the Court ruling does not enjoy the same privilege. It is hoped that the legislature will relieve this grotesquely unjust situation at its coming session.

ASHTABULA'S THIRD "P. R." ELECTION

BY RAYMOND C. ATKINSON

Western Reserve University

Ashtabula, Ohio, was the pioneer city in the adoption of the Hare plan of proportional representation for its municipal elections. This year's test was embarrassed by the presence of ten other old-style ballots. . . . The story of Kalamazoo's second election under P. R. is promised for an early issue. :: :: :: :: ::

I

THE operation of the Hare plan in Ashtabula has been watched with considerable interest by both friends and opponents of proportional representation. This fall the plan received its third test in the election of a new council. As in previous elections the concensus of opinion appears to be that a fairly representative body has been chosen, although there are, of course, many complaints against the selection of particular members. Probably no one is thoroughly satisfied, but that is only an indication that no single group of voters succeeded in monopolizing the election.

The campaign this year was comparatively quiet. While a number of important matters, including the settlement of a street railway controversy and the negotiation of a new agreement with the gas company, will confront the new council, several of the candidates were unwilling to take a definite

position on these questions, and a few confessed total ignorance of the issues involved. The only striking feature of the contest was the endorsement of five men by the Central Labor Union. Although the stand of the labor candidates was no more radical than that of their opponents, the conservative element of the community was considerably startled. That organized labor might gain control of the city council filled the minds of a few good people with visions of bolshevism. A thorough understanding of the Hare system, however, should have set their fears at rest. While the unions supported a slate of five candidates, their total vote being approximately one third of the entire number of ballots cast, enabled them to elect only two of the seven councilmen. When the conservative people of Ashtabula recall that under the old-fashioned method of voting, one-third of the citizens, constituting the only organized group in the electorate, might possibly have

gained a majority of the seats, they have reason to be thankful for the existence of proportional representation.

II

Ashtabula follows the very sensible plan of deferring the count until the day succeeding election. After closing the polls the clerks sort out all ballots according to the first choice marked thereon, and send them in separate bundles to the central election office. All further counting is left to the board of elections which meets the following afternoon.

Of the fourteen candidates in the field only one, Dr. Hogan, was able to poll the necessary quota of 357 votes on first choice. Dr. Hogan had served in the council for the past six years, and was a recognized leader in that body. On the distribution of his sur-

plus of 25 first-choice ballots no candidate reached the quota, but in the midst of the next count, when the lowest man, Willey, was declared defeated and his ballots distributed according to second choice, another candidate, Warren, went over the top and was declared elected. From this point until the final count no other aspirant was able to attain the quota. As one man after another was dropped from the list and his ballots distributed, two interesting facts were noticeable. One was the popularity of Mack among all elements of the electorate and the other was the regularity with which the ballots of one labor candidate went to another. Mr. Mack was a member of the outgoing council, a self-styled "aggressive progressive," whose record gave him a liberal share of the ballots on each new transfer. Of the five labor candidates the first to suffer de-

THIRD ASHTABULA ELECTION UNDER PROPORTIONAL REPRESENTATION

TABLE OF THE COUNT

Candidate	First Choices	Hogan's Surplus	Willey's Transfers	Result	Unis' Transfers	Halen's Transfers	Strickland's Transfers	Woodworth's Transfers	Hageny's Transfers	Total valid ballots 2849	Quota .. 357	Invalid ballots 445	Total vote .. 3294
Boynton.....	165	2	167	9 176	10 186	16 202	11 213	25 238	14 252	252	eliminated		
Candella.....	246	2	249	2 251	2 253	6 259	20 279	17 296	38 334	334	elected		
Corrado.....	283	2	286	1 287	1 288	2 290	1 291	0 291	34 325	325	elected		
Cross.....	247	2	249	2 251	8 259	11 270	14 284	13 297	28 325	325	elected		
Hageny.....	168	1	174	5 179	0 179	9 186	13 197	27 226	11 226	226	eliminated		
Haleen.....	115	1	116	3 119	4 123	eliminated							
Hogan.....	382	elected	■■■	first choice votes.									
Mack.....	268	■■■	272	4 276	15 291	18 309	22 331	23 353	4 357	357	elected		
Strickland.....	153	1	154	2 156	5 161	9 170	25 195	eliminated					
Unis.....	64	1	65	4 69	eliminated								
Walling.....	212	0	212	1 213	2 215	11 226	16 242	48 290	29 319	319	elected		
Warren.....	352	1	353	4 357	elected								
Willey.....	57	1	58	eliminated									
Woodworth.....	137	■■■	137	3 140	6 146	3 149	eliminated						
Exhausted Preferences.....	.....	.....	.....	18 ..	16 ..	39 ..	27 ..	43 ..	79	79	Total 222		

Note. The "quota" was 357 and any candidate getting 357 votes out of the 2849 was elected. Each ballot counted for only for one candidate although seven were to be chosen. 1. Hogan's surplus ballots were distributed to second-choice candidates as demanded by the voters' marks. 2. Likewise Willey's ballots, Willey being found to have no chance of election, were transferred. 3. Then those of Unis, the next lowest candidate, were transferred; 4. and so on, until all the ballots were in seven piles.

feat was Woodworth. About three-fifths of his ballots were turned over to the four remaining labor men on the next count. The other two-fifths went chiefly to Mack, Cross and Boynton, all of whom might be considered in a measure as representatives of labor, Mack being a printer, and Boynton and Cross railwaymen. By the close of the seventh count the tables showed that two candidates had been elected and six defeated. The field was, therefore, narrowed to six men, of whom five were to be elected. On the succeeding transfer Mack received his three hundred fifty-seventh ballot, and the dropping of Boynton after the tally brought the election to an end. The whole process had been completed in three and three-quarters hours without the slightest confusion or error.

How did the various groups in the community fare in the choice of councilmen? At an election in which concrete issues play so small a part as in the recent campaign, that is a difficult question to answer. The motives of many of the electors are very hard to unravel, but it appears that racial and economic factors were the principal considerations with the geographical location of the candidates' homes playing some part. Ashtabula contains three important racial groups, Italians, Finns, and Swedes. Two of these received representation in the new council. The Italians can boast of two members, which is more than their numbers justify, in the opinion of most Ashtabula people. Their success, however, is accounted for by two facts—an unusually large Italian vote, due to a factional quarrel in the Italian district, and the endorsement of one of the two, Candella, by the Central Labor Union. The support of organized labor was probably the chief element also in the success of Wallin, the Swedish representative, for the Swedes

constitute a relatively small part of the population. The constituencies which elected the other four candidates cannot so readily be diagnosed. Dr. Hogan undoubtedly drew heavily on the conservative and business vote, as did also Mr. Warren. The latter had taken a definite stand against Sunday amusements and could, therefore, count on the support of the strict, church-going people. Cross, a retired railway yardmaster from the Harbor district, represents a distinct section of the city. Mack, the remaining councilman, disclaims the support of any particular element of the community, and the varied groups from which his ballots came indicate that his statement is largely correct.

The Hare system has then given the Italians and Swedes representation in the new council. Organized labor succeeded in electing two of its candidates. The Harbor has a member, while business may lay claim to at least two councilmen. Whatever else may be said of the Hare plan it must be conceded that it does insure group representation.

III

After three elections under the Hare plan it might be supposed that the people of Ashtabula had become thoroughly accustomed to the system. That, however, is not the case. There remains a surprising amount of opposition to proportional representation. In fact a number of Ashtabula citizens, including even some of the firmest friends of the Hare system, are free to admit that it is disliked by a great many voters and that, were the question submitted at the present time, there might be a majority against the retention of proportional representation. This opposition appears to arise from two causes—ignorance of the method of voting and counting the

ballots, and unwillingness on the part of many of the "better" citizens to see certain groups, especially organized labor and the Italians, secure representation in the council.

That many of the citizens are still confused by the new system of voting there can be no doubt. In each election thus far at least 10 per cent of the ballots have been invalid due to one error or another in marking. At this election 445 out of 3,294 ballots had to be discarded, or about 13 per cent of the total vote. The number of ballots spoiled would have been more than sufficient to have elected a candidate. The increase in the number of invalid ballots this year over that in previous elections is not especially surprising. The citizens of Ashtabula were presented with eleven different ballots on entering the booth November 4, and of these eleven all except one had to be marked with the old-fashioned cross. It is not strange, therefore, that many electors floundered in the midst of such a morass of voting papers and failed to use the Hare ballot correctly. The commonest error was the marking of a series of crosses instead of the numerals 1, 2, 3, 4, etc., before the names of the candidates preferred. While a single cross is treated as a first-choice vote, the presence of two or more X's makes it impossible to count the ballot for any candidate indicated. It would be natural to suppose that this error would have been confined to the foreign sections of the city, since full instructions as to marking were printed upon the ballot. In fact, however, the proportion of spoiled ballots was as large in the thoroughly American districts as in those occupied by foreign-born voters, with the exception of the Fin-

nish precincts. Why it should be so difficult to change the voting habits of literate Americans is hard to understand, but the fact remains that so long as other ballots are marked with the cross a considerable number of people must be cautioned as to the Hare ballot. Ashtabula, on the admission of the election officials, has not conducted a campaign of education as to the use and meaning of the new system of voting. That, no doubt, accounts for the large percentage of wasted ballots, as well as its failure to decrease from election to election.

The second objection which is frequently heard is nothing short of a criticism of the whole theory of proportional representation. The ability of the Italians to elect a former saloon-keeper, who was recently charged with murder, is a terrible shock to the sensibilities of many good people, and the Hare system is blamed. This particular man, however, was chosen four times under the old ward system and has succeeded in but two out of three elections under the Hare plan. As for the labor representatives, it is clear that the unions did not win a larger share in the new council than their vote properly entitled them to, nor are their members considered radical by many fair-minded people.

An examination of the Ashtabula election should indicate to the friends of proportional representation that the Hare plan actually does secure group representation. But it must also show the necessity of a thoroughgoing educational campaign wherever the system is introduced to overcome the habit of voting with a cross and the natural intolerance of minorities which inheres in the minds of many people.

THE FATE OF THE FIVE-CENT FARE

IX. INDIANAPOLIS

BY ROBERT E. TRACY

Director, Bureau of Governmental Research, Indianapolis

I

THE Indianapolis street railway situation has reached a fairly definite milestone on the road towards stability as the result of an order of the public service commission of Indiana, dated June 28, 1919, modified on June 30, conditioned on the acceptance and performance of various stipulations. This order approved a merger of the Indianapolis Traction & Terminal Company and the Indianapolis Street Railway Company, the former being the lessee and operating company organized in 1902 and the latter the lessor company organized in 1899. The commission made fourteen stipulations, later reducing those to be immediately performed to ten, before they gave their approval to the merger. The conditions of the approval of the merger were as follows:

1. That payments made into bond sinking funds under the mortgages of the constituent companies should be considered as having reduced the principal amount thereof and that the consolidated company should have the right to issue additional bonds to that amount for additions and betterments.

2. That the consolidated company should assume complete performance of the franchise obligations of the constituent companies.

3. That until the date of the expiration of the franchises of the constituent companies, no dividends should be paid on the common or preferred stock of the consolidated company while at

any time there was failure to comply with any order of the commission approving a requirement of the city under the franchise.

4. That any dispute between the city and the consolidated company as to extensions, additions or improvements in its system or service, should be referred to the commission and that the consolidated company should agree to abide by its decision.

5. That the consolidated company should set aside annually in cash 21 per cent of gross revenue for maintenance and depreciation.

6. That the preferred stock of the consolidated company should not be redeemed or retired prior to the maturity or extended maturity dates of its bonds.

7. That the commission's approval should not bind the commission in any future regulation of the securities of the consolidated company including the refunding of its present securities or the extension of the maturity dates of its bonds.

8. That the consolidated company should apply to the commission for authorization of any future stock or bonds.

9. That the commission was not bound to provide revenue for dividends or interest on the securities of the consolidated company and that any action by the commission in future rate cases should be unaffected by the securities of the consolidated company or by the commission's approval of the consolidation.

10. That the consolidated company should assume all the obligations, liabilities and claims of the constituent companies.

11. That the consolidated company, instead of issuing \$2,500,000 in common stock in exchange for \$5,000,000 of stock in one of the constituent companies should issue only \$1,000,000 of such common stock.

12. That, although under the terms of its mortgage the constituent companies had to make annual payments of \$60,000 into a sinking fund to be used for the purchase of bonds thereunder and each of which had a large amount of bonds in its sinking fund, the payment of interest on such bonds should be permanently discontinued and that such bonds be considered as extinguished.

13. That the annual payment into these sinking funds be discontinued until January 1, 1923, and that such money as would have been paid into such funds be used for extensions, additions and improvements.

14. That the consolidated company proceed with extensions of its lines in accordance with franchise requirements without unnecessary delay.

There was one complicating feature about this merger and one which might have blocked it, namely, the attitude of the minority stockholders of the Indianapolis Street Railway Company who opposed the merger all through and instituted a suit in the federal court to enjoin the carrying out of the merger plan largely on the ground that under the Indiana law such a merger could not be completed without the unanimous consent of the stockholders. They insisted that their stock, which had been paying a 6 per cent dividend out of the proceeds of a rental received by their company under the lease to the Indianapolis Traction & Terminal Company, was

being supplanted as to earnings and security by the bonds of the Traction & Terminal which under the new agreement became junior to the bonds under the first two mortgages represented by Citizens Street Railway 5s (\$4,000,000) and Indianapolis Street Railway 4s (\$6,000,000). These minority stockholders also asked for the cancellation of the lease for non-performance of the conditions thereof by the lessee and operating company. Another cause of complaint was that their stock under the new company would not draw dividends unless they were actually earned. This suit was disposed of a few months ago by the federal court's ruling in favor of the defendant's motion to dismiss.

II

But what of the fare situation? Ever since December, 1917, the Indianapolis Traction & Terminal Company had been trying to get an increase in fare which for many years had been five cents cash, six tickets for twenty-five cents, and twenty-five tickets for a dollar with universal free transfers. When the original franchise was granted in 1899 the street railway company was well satisfied to secure this rate, for Tom Johnson of Cleveland was then the young Lochinvar with his three-cent fare idea. Moreover, there was a three-cent fare law on the Indiana statute books, passed in 1897 but later declared unconstitutional in the courts.

The Indiana public service commission, in December, 1917, declined to take jurisdiction of the petition for an increase in fare because of the contract between the company and city, and not until the Indiana supreme court decided that there was an emergency existing and ordered the public service commission to entertain the peti-

tion was anything done by way of relief.

After all these preliminaries in August, 1918, the hearings began and lasted for many days. Most of the time was consumed over an inventory presented by the company which could not stand the strain of the valuation claimed, \$24,018,040.83. Pages of testimony were taken as to financial history, service, labor conditions and other factors and for the first time the public learned of the Indiana Company which received about eight million dollars worth of securities for two and a half million dollars worth of construction work at the time the Indianapolis Traction & Terminal Company came on the scene in 1902.

The chief engineer of the commission made a tentative valuation of fifteen million dollars. The commission found the valuation to be somewhere between fourteen and sixteen million. Of course, the case was not one calling for a valuation, but was simply based on the emergency clause (section 122) of the Shively-Spencer utility act which permitted temporary relief under extraordinary circumstances.

Finally in October, 1918, the commission made a 60-day order, granting a straight five-cent fare with one cent for a transfer and a rebate when the transfer was used. The commission also ordered an average increase in wages of the company's employees of 50 per cent over the scale of July 1, 1918, which was then 25 to 33 cents per hour. The commission did this because they found a tremendous labor turnover which was operating to demoralize the service. The rate is now 37 to 42 cents an hour. This increase in the pay of the platform men naturally ate up a large part of the increased revenue.

Another significant feature about this transaction was the agreement

of the company to the appointment of three public trustees, one by the governor, one by the mayor and one by the Indianapolis Chamber of Commerce. Much was expected of this plan but it did not result successfully for the three public directors resigned just before the expiration of the 60-day period, specifically because they would not join with the other members of the board in requesting the commission to raise the fare to six cents and generally because they felt that they could not extricate the company from the fetters of excessive fixed charges which they said were leading the company inevitably to disaster. Two of these public directors were especially well versed in utility finance, one being a railroad president and the other the organizer and director of a gas company. The third was a business man of wide experience. Each submitted a report to the commission showing why he had resigned.

III

The next order of the commission at the end of the 60-day period was made on December 28, 1918, and the salient point about this was that it ordered a change in the management of the transportation department, and advised the various interests involved to confer together to reorganize the financial arrangements, giving especial attention to the bonds in the sinking funds on which interest was being paid although these bonds had been bought in by the trustees under the mortgages. The commission said: "The emergency now existing, resulting largely from petitioner's own devices, can be brought to a speedy end by voluntary readjustments so that outstanding obligations will bear a reasonable relation to values."

This order resulted in action when, in June, 1919, a merger agreement

prepared by a special committee of stockholders was presented, voted on, and accepted by the stockholders of the constituent companies, although the vote of the Indianapolis Street Railway stock was roughly 26,000 shares for and 14,000 shares against the merger. These minority stockholders, as explained above, waged a losing fight against the merger in the federal courts. Meanwhile the merger agreement was approved by the public service commission and the five-cent fare will continue until 100 days after the treaty of peace is ratified. So far as Indianapolis is concerned then it is the fate of the four-cent fare we are confronted with and the fate of the four-cent fare seems to be sealed.

So long as the emergency exists and so long as the company is operating under the terms of the emergency order, the public, through the public service commission, has a strong hand in the street railway situation in Indianapolis. The Indiana public service commission has probably gone as far or farther than any other commission in the country in the way it has dealt with this company and its affairs. Moreover, the city, through the board of public works, has very complete control over extensions and service if it only exercises its power; and it must

be said that it is showing a disposition to do so.

It is a noteworthy fact that the public mind is much more friendly to the street car company than it has been in years and is much more sympathetic with the problems involved in the building of extensions, betterments and improvement of service generally. The new board of directors, which is largely local in character, is perhaps responsible for this new state of mind.

Indianapolis street car conditions are probably as stable as any in the country but there are those who feel that a permanent solution has not been found. On a five-cent fare the company is earning a revenue sufficient to give fairly good service and to pay a reasonable return on capital. The company recently asked the commission for a six-cent fare but the commission refused to docket the petition. Labor conditions seem to be satisfactory and the whole enterprise appears to be on a higher plane of service than ever before. The city is still far from having its requirements met so far as transportation is concerned, however, but the system is making an effort to meet the growing needs of a rapidly expanding industrial community which bids fair soon to reach its proper place among the great cities of America.

GOOD SEED AND DEEP PLOWING

BY EDGAR DAWSON

Field Representative on Civic Education, National Municipal League

It is Prof. Dawson's conviction that much of modern political reform principle is so solidly established that it may properly be made part of primary, high and normal school instruction in civics as it already is in the colleges. He is giving his entire time in 1920 to initiating this movement. :: :: :: :: :: :: :: :: :: ::

EDUCATION in sound thinking is the only answer to false propaganda. It has long been a proverb of the educational philosopher that those principles which we would make a part of the thought of the community we must write into the curriculum of the schools. For social and political safety, the teacher must be the moulder of thought. Mr. Roosevelt expressed this idea in one of his cogent aphorisms as follows: "If you are going to do anything permanent with the average man, you have got to begin before he is a man. The chance of success lies in working with the boy, not with the man." We know with what success the Germans followed this principle of education in moulding the public opinion of their people in the support of the kind of principles for which Germany stood. We do not agree with the principles which Germany propagated; but she was so successful in her work that the bloodiest of wars was necessary to check her progress. We do not agree with the principles which the apostles of anarchy and disorganization are now propagating; but unless the weapons of education are used now to check their spread the weapons of force may be required, and may not be effective, against a movement more dangerous to sound economic and political life than even the German propaganda was.

The life America stands for, however

half-heartedly we have developed this life, is one of orderly and justly administered government by the majority, however large the territory had in view. We stand for a decent respect for the opinion of mankind as expressed through representative government and organized administration. The principles of organization, the concrete and visible expression of this life, must be made a part of our political thought and action and they must be sincerely and frankly applied unless we wish rising generations to be led away from them into new and untried paths.

At present we are not making use of the best means of propagating the soundest principles of organization for which we stand. We are neglecting our opportunities while the enemy sows the tares. One of the best known of our university professors of political science wrote recently in reply to an inquiry about a wiser method of teaching the principles on which our state governments should be organized to bring them out of the chaos in which so many of us think they now are: "I could hardly agree that the government of the states is in chaos. On the contrary I think that the great difficulty is that it is set on a basis of principles that do not apply,—separation of powers, wholesale election of administrative officers, lack of budget, mass rule in legislation, a weak gov-

ernor, and an over-strong judicial system. *Of course it is a serious business to try to discourage these sacred principles.*" We need not argue the question whether the writer's quotation describes chaos or not. The word is not important. But that the condition of our state governments is wholly unsatisfactory will be conceded by any thoughtful student of them. Mr. Root calls them "invisible," meaning that they are in such confusion that outside and unknown powers control them. But attention must be called to the sentence in italics, which were not used by the writer quoted. It is said to be a dangerous business to try to educate the youth away from the false principles which account for the inefficiency and invisibility of our government. How shrewd need the false leader be to persuade the untrained citizen that it is time to upset a system in which invisible forces control his destiny?

CLEAN SEED IS READY

If we are to raise a crop of political thought in this country which will be worth perpetuating we must sow a different kind of seed; we must sow it clean; and we must sow it deep in the life of our community. Let us be concrete. What seeds shall we sow? Who shall sow them? How shall they be sown? What support shall we give to the laborer?

Some fifteen years ago the then leading public educator of the United States was chairman of a committee of the National Municipal League. The task of this committee was to investigate the teaching of municipal government and to report methods of improving it. In summing up the work of the committee, its chairman said that the main difficulty he had found was the fact that teachers did not know what to teach. Thought in this

field was in a state of flux; no one knew what a city government should be.

This difficulty has now been removed. Through the efforts of the League, the seed has been cleaned. A model city charter has been prepared which expresses the best thought of the country on what a city government should be. If the teacher wishes to prepare for a harvest of confidence in municipal democracy he need only plant the principles of this charter deeply enough in the thought of the rising generation to make them bear fruit when his pupils come to voting age.

But what seed have we for a good crop of ideas on state government? As yet we have no model state constitution, but there is a movement afoot to prepare one. If the movement is successful the work of the teacher will be greatly lightened and his path made much more easy. The preparation of a model state constitution will be largely a matter of formulation and expression, for on the principles which should underlie it, the ablest political scientists are already in general agreement. In fact they correspond very closely with those which were written into the model city charter; with few exceptions, they have already been written into the Constitution of the United States.

INCONTESTABLE PRINCIPLES

These principles are already too well known to the readers of the NATIONAL MUNICIPAL REVIEW for them to need elucidation here; but a few of them may be mentioned as illustrations of what the writer of this paper means by the good seed of sound democracy that we must make an earnest effort to sow.

The first principle is that the charter or constitution should be simple and brief enough to be understood and read

by a well-educated person of average public spirit.

The second is that budgets must be made by the head of the administration which is to spend the public money. This principle is so far-reaching that it involves almost all others.

Executive leadership in a large part of the legislation must go with budget-making, for the formulation of policies must go hand in hand with questions of finance.

The principle of the short ballot is now so fully accepted by all thoughtful people that one is constantly astounded that so little effort is made to teach it and thus make its adoption possible in our states. It is, of course, necessary to the formulation of wise budgets, for the departments must work in unison, and this is not practicable unless they work under a head.

Out of the foregoing grows the principle that the administration must be divided into a manageable number of departments. The civil servants in these departments must be differentiated from those whose duty it is to lead in the formulation and execution of policies, and the civil servants must be appointed and promoted on the merit system.

The short ballot principle carries with it an appointive judiciary.

Home rule for each political unit in the solution of its own problems, preferential voting, scientific bill drafting, and the like would all find their places in a system of government such as we need and might easily have.

WHO IS TO TEACH?

But who is to sow the seed for a fruitful crop of sound political thought, of confident patriotism in a democracy? Whatever answer we may find to this question, the sower must surely understand the principles which he is plant-

ing and believe in them. At present, with all our enthusiasm for the teaching of democracy and for training in citizenship, we are assigning our classes in the elements of government to persons whose first interest is the teaching of Latin, mathematics, English, or the training of the athletic teams. Our normal schools, the *raison d'être* of which is to train teachers, scarcely pretend to train teachers of government. In fact in many if not most of these there are no classes in the subject. The reader may ask for a more concrete statement of this neglect. It cannot be made more concrete than in the words that follow: Our universities, colleges, training schools, and school administrators are almost totally oblivious of the fact that the study of government has resulted in the formulation of principles which are definite and certain enough to be taught as science to the rising generations. For most of these organs of our educational system the study of politics is a purely academic affair. They are not engaged in the "serious business" of trying to "discourage" "sacred" but utterly false "principles" of political organization. Persons become teachers without ever having heard of the executive budget; they teach the government of the United States without ever referring to it; the pupils graduate in total ignorance of it. In later years when they are busy earning a living they are indifferent to it.

The teaching of hygiene was largely responsible for the enactment of prohibition; the teaching of organized government would prepare the way for efficient and safe democracy. The touchstone of reality for our demand for Americanization is our willingness to demand and financially support such a reorganization of our educational system as will bring every high school child under the guidance for at least a

year of some teacher who has been trained in the principles of political science.

TIME AND METHOD

If good fortune should at some not too distant day give us trained teachers of government for the schools, we should then be interested in two subordinate problems: First, the pedagogical method, and second, the amount of time that the teacher could claim in the course of study. The REVIEW is not interested in pedagogical methods, but it may be proper to say here that the leading students of child psychology, as applied to the teaching of political ideas and ideals, are in reasonable agreement as to the best methods for this purpose. They need only such support from the training schools and the administrators of education, such as superintendents and principals, as will make it possible to put the methods into practice. The need of trained teachers was mentioned in the paragraph before this. The need of time in which to teach is as important as training in how to teach. At present the work in government is looked upon as a sort of poor relation of history, and history of a very mediocre sort. It is rare that training in principles of government is given as much time in the high school as is training in the principles of physics. Almost never is it given half as much time as training in the forms of language or the principles of mathematics. Yet one might venture to doubt whether the habit of speaking correctly is more important than the habit of thinking correctly on the subject of citizenship. Some are convinced that the former is not twice as important as the latter. Those who administer school systems are not indifferent to their duty, they simply do not realize what their duty is; they do not under-

stand that there are principles of government to be taught.

What support shall we give to the laborer? The answer has been suggested in the last two preceding paragraphs. The community must provide in a thoroughgoing way if our crop of citizenship is to be worth any effort. We must select good seed and sow it clean; and we must plow deep not only into the soil we have been using, but we must go down into the subsoil looking far into the future. We must offer salaries in the schools which will attract able persons. We must sternly insist that no one shall enjoy these salaries who has not been thoroughly trained for their work. We must assign in the curriculum enough time and in the budget enough money to make it certain that every pupil who graduates from a high school and thus passes into the leadership of our democracy shall be grounded in those principles which constitute the only safeguard against loose thinking; for loose thinking is the seed-bed of the demagogue, the disorganizer, and the false leader of every sort.

THE SAFETY VALVE

One paragraph may be added. There are those who will ask what political principles have to do with our economic unrest? The answer is that economic problems are problems of policy. If the young citizen can be given a philosophy on which will rest confidence in his government, in his representative legislature, in his administrative servants, in the judges of his courts, he will rest fairly comfortable in the realization that while all the problems are not solved, the community is doing the best it can to solve them, and that confusion and disorder will not add to the probability that they will be wisely solved. The

right kind of teacher of government will always aid his pupils to understand that such questions as the tariff, the currency, the definition of property and property rights, are problems of the utmost difficulty. He will take excursions back into history to show that these age-long problems have worried statesmen in all generations; and that modern life makes them even

more difficult. He will be able to show the pupils that such problems cannot be settled on the soap-box or in the mass meeting. He will create a disposition in his pupil to trust the best leaders that sound organization can secure, and to go about his work leaving to his public servants the task for which he has helped to select them.

A REVIEW OF CITY PLANNING IN THE UNITED STATES, 1918-1919

BY THEODORA KIMBALL

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This summary of the year's work in city planning is one of a chain of similar reviews that run back to the beginning of this magazine, constituting a serial and connected history of the movement; the earlier ones having been prepared by the late Charles Mulford Robinson. : : :

ALTHOUGH construction has been largely hampered by conditions of uncertainty and unrest, and although official comprehensive "reconstruction" programs for the United States as a whole have been conspicuously neglected, nevertheless a survey of city planning activity throughout the country offers substantial encouragement to those who see in orderly municipal development one effective remedy for industrial disorders.

"RECONSTRUCTION" AND CONSTRUCTIVE DEVELOPMENT

The term "reconstruction" as applied to the United States has been used chiefly in the sense of "constructive development." An examination of the measures introduced into congress in 1918 under the head of reconstruction reveals a lack of serious appreciation of the importance of devel-

oping environment in any constructive program; and the lack of presidential interest in any definite program has still further relegated to the background governmental interest in city planning and housing. Doubtless because our need is less acutely felt than England feels hers, our governmental attitude contrasts shamefully with that of the British Ministry of Reconstruction, the new Ministry of Health, and the Local Government Board. However, such programs as that of the National Municipal League at Rochester in November, 1918¹ include national, county, and city planning; such a notable address as Mr. Thomas Adams' "Housing and Social Reconstruction"² in Boston before the Na-

¹ Cf. the article "A Motive and a Method for American Reconstruction," in the *American City*, November, 1918.

² See *Landscape Architecture*, January, 1919, for a convenient abridgment.

tional Conference on Housing, indicates the leadership to which the forces of improvement may look; some of our municipalities have individually put forth reconstruction programs that show what vigorous organized citizenship can accomplish.

St. Louis,¹ Chicago,² and Rochester, New York,³ should especially be mentioned for their published reconstruction "platforms." The St. Louis pamphlet contains a stirring introduction by Winston Churchill, a former St. Louisan, on the lessons of the war in community co-operation and on the vital need of city planning. The ability of St. Louis to raise money for war purposes is cited as an indication of what it should be able to do for permanent public improvements. The body of the publication outlines the principle features of the St. Louis city plan with cost estimates. The little Chicago pamphlet strikes a similar note, emphasizing the immediate necessity of public works, on the one hand to take up the labor supply of returned soldiers and on the other to carry on the construction of the Chicago plan interrupted by the war. The Rochester program is offered as a suggestion to the bureau of city planning as to possible first steps in the after-war development of the city. While other social features appear on the program, comprehensive city planning stands as one of the cardinals.

The introduction to the Akron, Ohio, plan (discussed later) states that it should be considered as a reconstruction program; and Cleveland, Ohio, Pittsburgh, and Johnstown, Pennsylvania,

¹ *St. Louis after the War*, City Plan Commission, December 10, 1918.

² *Reconstruction Platform of Chicago Plan Commission*, December, 1918.

³ *A Municipal Reconstruction Program*, Rochester Bureau of Municipal Research, October 25, 1918.

Pennsylvania, Albany, New York, as well as the state of New York, have notably gone on record with public improvement plans for our readjustment period.

PLANNING PROBLEMS OF LAND SETTLEMENT

The development of parts of our national domain, especially arid and hitherto waste lands, by the labor of ex-soldiers, with a view to their ultimate settlement on the improved land, has been proposed by the Secretary of the Interior; but the failure of congress so far to grant adequate appropriations for the prosecution of these public works has postponed action. It is recognized that the advance planning of the areas will be essential, and that government assistance in community development should be continuously carried on, similar to that offered by the state of California to its Durham colony, and to an even greater extent. The requirement of community planning in any such national scheme would mean signal progress in our rural program. If pressure can be brought on congress to grant appropriations, it is to be hoped that any future land settlement conferences similar to the one held in Minneapolis⁴ in August, 1918, will lay due emphasis on this aspect of the problem.

WAR MEMORIALS AND THE CITY PLAN

Some of the proposals for war memorials have been, as they should be, intimately concerned with city planning. The most striking example that has come to the writer's notice is that of La Crosse, Wisconsin, which voted not to proceed with a soldiers' memorial until a comprehensive city

⁴ *Land for returning soldiers*, Minneapolis civic and commerce association, interstate conference.

plan had been secured.¹ Sketches and plans have emanated from many cities showing an appreciation of a fitting relation between any idealistic monument to be erected and its location. In a number of cases re-arrangement of streets and blocks desirable from other points of view as well have been proposed. Memorial parks and forests, memorial avenues, civic centers, community buildings and municipal auditoriums, memorial bridges, and many other forms of visible public works have been suggested or undertaken, some perhaps designed in an isolated fashion, but more of them than in our last era of soldiers' memorials considered in relation to other improvements. The good work of the American Federation of Arts and the American Civic Association in promoting the adoption of the right types of memorials should bear fruit. It is particularly worth noting that the state of Pennsylvania, by an act approved May 1, 1919, created a state art commission, whose approval is required both as to design and location of all public monuments anywhere in the state except in cities of the first and second classes (which naturally have municipal art juries).

RESULTS OF WAR WORK IN TOWN PLANNING

In the previous review² of city planning the work of the government in housing workers in war industries was discussed. The value to the country, in peace as well as in war, of some permanent town planning and housing agency became so evident to a number of the leaders of civic improvement that a meeting was called in Philadelphia, January 3, 1919, to get a

¹ One is announced as in preparation by Mr. John Nolen, who laid out the park system for La Crosse some years ago.

² November, 1918.

consensus of opinion as to the character and functions of the agency. It was put on record that the agency should serve in an advisory and educational capacity rather than as a constructing organization, and the possibility was suggested that it should supervise the loans for housing purposes if a housing finance bill³ could be passed,—in somewhat the same way that the housing committee of Canada through its adviser, Mr. Adams, exercises control over the loans made to provinces under the recent Canadian \$25,000,000 loan act. On the whole, unfortunately, our congress has been actively hostile to the government's town planning work, and indifferent to bills for continuing the housing bureau as such an agency recommended by the Philadelphia conference and proposed in the Tinkham bill. Destructive criticism of the bureau's town planning work—in part, at least, demonstrably based on a misconception of the facts—has further been launched by Mr. William E. Shannon,⁴ formerly head of the real estate division of the bureau. In fact his opinion of town planning in general seems to be quite different from that held by Mr. J. C. Nichols of Kansas City, and repeatedly made public. For contrast, Mr. Shannon's attack should be read coincidently with Mr. Nichols' address of the previous year, at the national convention, "Real city planning results and what they mean to property owners."⁵ The official action of the National Association of Real Estate Boards, in appointing a committee to promote the establishment of a permanent city planning commission

³ Cf. the proposed Federal Home Loan Bank, similar to the farm loan system.

⁴ In an address before the National Real Estate Convention at Atlantic City in June, 1919, given wide publicity.

⁵ Published as Bulletin No. 3 of California Conference on City Planning, November, 1918.

in every city of importance in the United States, would seem to give encouragement that the majority of real estate men are not hostile to progress in town planning.

The best tangible proof of the permanent contribution of our war town planning work lies in the considerable volume just issued by the United States Housing Corporation.¹ This book is a record of the "activities and accomplishments of the housing corporation which were most directly concerned with the *design* of its various housing projects," and thus of the work of the architectural, town planning, and engineering divisions. The other volume is to cover the work of the transportation, homes registration, real estate, construction, and other divisions.² As a collection of clearly-presented pictures and plans, the book is remarkable, and the mass of tabulated data offers opportunity for students of the subjects to draw conclusions as to costs and types of development that should be immediately valuable in meeting the growing house shortage in this country. A selected bibliography³ is included covering the most important articles on industrial housing in America and Great Britain, published during the war and to April, 1919. The text of the book is not technical, setting forth some of the more fundamental considerations of the problems in designing the war towns. In the hands of municipalities, housing companies, employers of labor, real estate men, technical designers of various sorts, and builders, both text and plates will form the largest available collection of such data. The

¹ Report of the United States Housing Corporation, vol. ii (Government printing office, 1919). Vol. i is not yet issued.

² A summary is available already in the brief Report of the Corporation, December, 1918.

³ Also published separately as a preprint.

book stands in a series with the park commission plan of Washington, or the Chicago plan, as one of the historic contributions to town planning literature.

The Construction Division of the Army has also issued extensive reports of its work in planning the camp towns, four publications⁴ standing to its credit. In these there is much experience recorded of permanent value in construction work, not only in matters of roads and sanitation, but also of warehouses and port terminals, and of hospital construction.

A record of the work of the Emergency Fleet Corporation in housing shipworkers has been given to a limited public in the form of a portfolio⁵ of interesting drawings without text or statistics. It is greatly to be wished that a comprehensive report of this other housing branch of the government could be forthcoming.

A brief summary of the technical lessons from the work of both Housing Corporation (by Mr. F. L. Olmsted) and Emergency Fleet Corporation (by Mr. B. A. Haldeman) has been published by the American City Planning Institute, following a meeting in Philadelphia, on January 26, 1919. Further detail studies on some of the questions there raised are in progress by committees of the institute and were to be laid before a joint meeting of the newly formed Canadian Town Planning Institute and the American City Planning Institute the latter part of October. The influence of the war on town planning matters appeared clearly also at the Niagara Falls-Buffalo meeting of the National Conference on City

⁴ Annual Report of the Chief of Construction Division, 1918; *National Guard and Special Camps, 1918; National Army Cantonments, 1918; Manual Engineering Section, 1919.*

⁵ *Types of Housing for Shipbuilders, Passenger Transportation and Housing Division, 1919.*

Planning last May. Problems of regional planning and regional surveys were there given great importance. It is also of particular interest to note the publication by the Illinois State Council of Defense, Home Registration Committee, of a *Preliminary report on a survey of industrial housing and transportation in the southeastern district and Indiana Steel Towns*. This survey was issued by authority of the United States Housing Corporation, and is somewhat parallel to the survey now going forward under the auspices of the state of Pennsylvania for the greater Philadelphia industrial region. When one looks back analytically at two years' work in city planning, one realizes that an impetus has been given to the subject by the war that should equal many years of previous normal progress.

LEGAL STATUS OF CITY PLANNING

We are, however, in a very far from satisfactory condition in regard to the status of city planning under our constitutions and laws. One gets a rather gloomy picture of the situation from reading Mr. McBain's *American City Progress and the Law*, published last year, but a somewhat less pessimistic one from Mr. Frank B. Williams' general summaries in his *Akron and Its Planning Law* (April, 1919). Moreover, Mr. Williams makes constructive suggestions as to constitutional amendments which should be secured to alleviate the legal disabilities under which our city planning programs now labor. This report, prepared for the Akron chamber of commerce in connection with Mr. Nolen's plan, is the most useful recent compilation of city planning legal references yet published, comparing only with Mr. Williams' own studies in connection with Bridgeport three years ago. It is understood

that he has in preparation a volume on city planning law, which will fill a great gap on our reference shelves, and will also undoubtedly stimulate revisions of existing non-progressive laws.

ESTABLISHMENT OF CITY PLATS

A very serious difficulty in the carrying out of city plans for undeveloped suburban areas has lain in the attitude of the courts, which allowed to owners compensation for buildings condemned within the lines of mapped but unconstructed streets. Mr. Whitten's report of December, 1917,¹ to the board of estimate and apportionment brought to light forcibly the situation in New York city, and recommended procedure whereby present obstacles to carrying out the official map may be removed. All proposed building not in accordance with mapped streets would be subjected to a stated delay before a permit could be issued, thus giving the city time to acquire the unopen street.

In Mr. Williams' Akron report just mentioned, we find that the Akron planning commission is also the platting commission, and that no deed contrary to the official plat can be recorded, according to the home rule charter of Akron, 1918; and the comprehensive Akron plan report of Mr. Nolen contains also a statement of the requirements for plats of new allotments, of general interest. In the Syracuse city plan also (discussed later) the work of the city plan commission in approving plats or preparing advance plans is to be noted.

DISTRICTING

A good summary of the situation in the United States to date in regard

¹ *Erection of buildings within the lines of proposed streets laid down on the final map of New York.*

to districting may be found in Mr. Williams' Akron report, in connection with his recommendations for the city. Portland, Oregon, Alameda, California, and Niagara Falls, New York, have issued publications on zoning; and work on districting plans for Baltimore, Chicago, Cleveland, and Detroit are in progress. The St. Louis zone ordinance is in process of amendment to meet the strenuous objections of builders and real estate men, who claim it has militated against necessary construction. New York City is also having its districting troubles.

Zoning and City Planning for Portland is the title of the first bulletin of the Portland city plan commission, June, 1919, Mr. C. H. Cheney, consultant. The Portland commission was permanently established in December, 1918, a housing code was adopted in January, 1919, and the Oregon state zoning act became effective May 29, 1919, at the same time with a state law establishing setback lines. It will thus be seen that Portland has an excellent background for her districting work. The zone ordinance outlined has eight classes of use districts, four classes of height districts (according to stories), and two classes of area districts. Neighborhood zoning recommendations embodied in sketch plans are to be put together to form a general zoning plan, which will be the basis of the zoning ordinance to be adopted.

The Alameda zone ordinance passed February, 1919, for which Mr. Cheney was also consultant, has similarly eight classes of use districts, four classes of height districts, and area classes according to the California state tenement house and dwelling acts. There are no unrestricted districts, and with all areas settled, a major street plan may be proceeded with. The makers of the ordinance believe that it combines the best features of the Los

Angeles, St. Louis, and New York ordinances, and the city is hopeful of future benefits from it.

Mr. John Nolen's *Zoning Problem of the City of Niagara Falls* issued some months ago by the city's zoning committee, is a brief outline of districting regulations. Here there are six districts each in the use, height and area classifications, the determination of height districts being based on street widths, but with a fixed maximum height.

EXCESS CONDEMNATION

Again we find in Mr. Williams' Akron study a most valuable discussion of the subject of excess condemnation. He shows particularly in relation to the acquirement of land for public buildings how essential is the power of protecting the vicinity by a suitable arrangement of the land, as well as by height and appearance regulation of structures erected. He gives an admirable summary of progress in securing the power of excess condemnation in this country, with legal footnotes.

A survey of the excess condemnation movement in Europe and the United States is included in a report of the Chicago bureau of public efficiency, entitled *Excess Condemnation. Why the city of Chicago should have the power in making public improvements, to take property in excess of actual requirements. Lessons to be drawn from certain unfortunate aspects of the Twelfth street and Michigan avenue widening projects and the proposed Ogden avenue extension* (September, 1918). The report was issued primarily to aid in the movement to secure a constitutional amendment to permit excess condemnation in Illinois. The pamphlet shows in detail, with illustrations of the unusable remnants of land now existing, how the improvements referred to above could have been met successfully under excess

condemnation powers. Some of the remnants are as narrow as three feet, constituting a menace to the appearance of the improved thoroughfares, through their invitation to billboards or clutter.

In March, 1919, the Detroit city plan commission issued a bulletin: *Excess Condemnation. A few facts in support of the proposed constitutional amendment approved by the common council of Detroit, March 8, 1919.* The text of the proposed joint resolution to be submitted to the people of the state is given and an excellent brief statement of the nature and advantages of excess condemnation.

CIVIC CENTERS

The "common sense of civic centers"¹ is coming to be appreciated more widely than in our first flush of enthusiasm for civic embellishment. The most considerable civic center report of the year is that published by the Milwaukee board of public land commissioners: *Grouping of public buildings; a report to the Milwaukee common council*, April, 1919. This report, prepared in accordance with a comprehensive city plan for Milwaukee now under way, is devoted to convincing the citizens of the need for a civic center and outlining this in relation to the arterial street system. The site as approved by Messrs. Olmsted and Nolen in their report of 1909, known as the Metropolitan park board site, with revisions, is recommended for the impressive building group proposed.

A proposed Liberty memorial and civic center for Berkeley, California, is of interest, as well as a civic group for Dayton, Ohio. Progress on the San Francisco and Cleveland civic centers

should also be noted. It would appear that the civic center offers exceptional opportunity for war memorials, and without doubt many of the "community buildings" proposed for some of our smaller towns will form the nucleus for attractive centers of town life.

TRANSPORTATION AND TERMINALS

Cleveland, Ohio, is particularly concerned with a better co-ordination of railroads and interurban terminals, and with the location of the Union Station.² Chicago is also still wrestling with her unsettled terminal problem. The city of Detroit's railroad problem appears acutely in relation to grade crossings. The department of public works issued in 1918 a report on grade separation, outlining comprehensively the relation of the grade separation program to the city plan and other municipal activities. It canvassed the situation in Detroit in detail, with many illustrations, and in addition included an abstract of the laws governing grade separation in the various states, tabulated to show the division of cost.

Waterfront development receives especial attention in the report of the Baltimore city plan committee (mentioned again later), and in the St. Louis reconstruction program already reviewed, the latter pointing out the importance of inland waterway development in the United States. Progress on port development is also reported in Philadelphia, and again in New Orleans. An important document is the *Preliminary Joint Report* of the New York-New Jersey port and harbor development commission (1918), appointed under the laws of 1917 in New York and New Jersey to make a study of the

¹ A title given to Mr. Nelson P. Lewis's address at the last National Conference on City Planning.

² *The Union Station: on the lakefront? or on the public square?* Cleveland Chamber of Commerce, December, 1918.

Metropolitan port district with recommendations. A questionnaire was sent out to the railroads, shippers, and warehouse interests, which is suggestive for other port development commissions. This joint report recommends a large technical organization to complete a comprehensive development report in two years, to guide future construction.

Perhaps the most thoroughly modern feature of terminal planning occurs in reports for Syracuse, New York, Stillwater, Michigan, and the village of Grand Canyon, Arizona, all of which provide for air service terminals. A station at Syracuse is located on the government's transcontinental aerial mail route, which in itself suggests adequate landing places in the new city plan. Four fields are proposed together with a large airdrome well outside the city. An air zone two miles in diameter over the city proper is suggested to be reserved, in which aviators may not fly, endangering the public beneath. The Stillwater and Grand Canyon reports refer to the future of aerial transportation, and call for aero landing places.

PARKS AND PLAYGROUNDS

A system of parks for Aurora, Ill., is the title of a report by Mr. M. H. West to the board of park commissioners of Aurora. The report outlines a comprehensive park system for the city, and lays especial emphasis on the development of play spaces in connection with schools.

CITY PLANNING PROMOTION

In the act establishing a bureau of municipalities¹ in the Pennsylvania State Department of Internal Affairs,

¹ Superseding the Division of Municipal Statistics and Information in the Department of Labor and Industry created in 1915.

it is expressly stated that part of the bureau's duties comprise publicity service to "promote a comprehensive plan or series of plans for the probable future requirements of cities, boroughs, or townships of the Commonwealth, either separately or jointly. . . ." In the state of Vermont, Norwich University has prepared a "program of civic preparedness for Vermont communities" in a publication² which while giving general principles aptly applies them to local conditions.

The first considerable treatment of the subject of city planning promotion has appeared this year, fittingly written by the managing director of the Chicago plan commission, Mr. Walter D. Moody. Entitled *What of the City?* and well illustrated, it is intended to have a wide popular appeal not only in Chicago but all over the country. A sub-title reads, *City planning, what it is and how to go about it to achieve success;* and as we read the record of Mr. Moody's work in "selling civilization" to the people of Chicago, as he calls it, we realize how many plans in other cities have languished because of inadequate educational campaigns. The reader of the book should take the repeated statements about Chicago's pre-eminence in all things in the spirit of the author, who says, "Chicago is not a city of boasters—it is a city of boosters." In spite of a considerable number of errors and oversights in the book, Mr. Moody and Chicago are to be congratulated on the enterprise and enthusiasm which the book reveals. It is seldom that one sees portrayed such absolute confidence in large and beneficial ideals and such devoted zeal in their promotion. While the later chapters trace the development of the Chicago plan, the early chapters and

² *Town planning: a program, etc.*, by K. R. B. Flint (Norwich University Studies, Political Science Series, no. 2).

the concluding summary chapter point out in a striking and readable fashion what promotion work involves, how it is essential to the success of the city plan, and how it should be conducted,—in other words they form a little manual of the subject, and as such, should be extremely useful to those leading the city planning movement in other American cities.

A new citizens' committee on city plan has been organized in Pittsburgh for promotional purposes and has issued a leaflet setting forth a broad city planning campaign. It is to be hoped that it may succeed in influencing public opinion to put through the extensive public improvements proposed for Pittsburgh, especially since local city planning interest aroused thoroughly several years ago seems to have lapsed. Johnstown, Pa., has been conducting a campaign of public education on its city plan through illustrated lectures given all over the city. The Dallas property owners' association (mentioned later) is also a publicity organization.

CITY PLANS PROPOSED

Comprehensive city plans or civic improvement programs have been proposed in the last year in Auburn, Maine, Bethlehem, Pennsylvania, Birmingham, Alabama, Charlotte, North Carolina, Decatur, Illinois, East St. Louis, Illinois, Flint, Michigan, Janesville, Wisconsin, LaCrosse, Wisconsin, Milwaukee, Wisconsin, Rockford, Illinois, Spokane, Washington, Springfield, Illinois, and Texarcana, Texas, but none of these have so far issued their plan reports.

Three general plan reports of importance, however,—Akron, Stillwater, and Syracuse already referred to,—have been published in separate form during the past year; and Baltimore's

report in connection with the recent addition, and the Portland (Oregon) zoning report, might also be considered in the class of general plans. A report for Rockford, Ill., has been issued since the last review of city planning, but a copy has not yet come to the writer's hand.

In the Akron report prepared for the city improvement committee of the chamber of commerce by Mr. Nolen (1919), there is reproduced a series of interesting detailed data maps, forming a civic survey. Housing receives especial attention, since the well-known and excellent housing developments of the Goodyear and Firestone companies have set a high standard for Akron. The report contains a legal survey by Mr. F. B. Williams which is a summary of the later separate publication by him, already referred to in some detail.

The plan of Stillwater submitted by Morell and Nichols to the park board, 1918, notes that the town has unusual civic spirit and an exceptionally beautiful location. Unhappily a gridiron plan has been imposed on the very uneven topography, but it is hoped that a replatting of undeveloped lands may preclude a continuance of the mistake. Parks to preserve the sweeping views of bluff and river are proposed, and waterfront development briefly touched on, both in respect to preservation of natural beauty and to commercial uses. The report is frankly preliminary in character to stimulate the city to its civic possibilities.

The city planning commission of Syracuse issued its comprehensive report in 1919¹ after various interruptions owing to the war. Street system improvements are noted as retarded by the war but again under way. A better use of the old state canal lands is recommended since these form a

¹ Syracuse had in 1917 a comprehensive grade crossing report.

serious obstacle in the development of the city. The proposals here should be compared with those in Schenectady where a city boulevard is proposed for an abandoned canal site. Two distinctive features of the Syracuse report have already been discussed, the work of the city plan commission in land subdivision and establishing the city map, and the development of air service terminals on an extensive scale.

Baltimore's report was published in the *Baltimore Municipal Journal* for May 9, 1919, under the heading, *Report of the city plan committee, on the development of the territory added under the act of 1918, together with recommendations and suggestions on the railroad, rapid transit and harbor problems of the city*, Carrère & Hastings, Owen Brainard, and Oscar F. Lackey, consultants. There are illustrations and plans given and several columns of text. The street plan is outlined, zoning is mentioned as being further studied, parks are discussed with reference to the Olmsted plan of 1904, and transportation and harbor development are given particular consideration.

INTENSIVE STUDIES OF LIMITED AREAS

A thorough and very interesting report is that published by the Boston city planning board in 1919, entitled *The North End, a survey and a comprehensive plan*. This is similar in scope to the East Boston study already made, and taken together with this forms a plan for a considerable portion of older Boston. In fact, the North End study covers one of the very oldest sections of Boston now a congested tenement district. The historical development of the area is traced, and detailed plans (fully illustrated) for its improvement are outlined. Since the present character of the district is expected to continue, the plans show how it can

be made as healthful and as pleasant a tenement district as possible. As a contribution to the tenement house problem, the report therefore has additional interest.

The St. Louis city plan commissions' *Twelfth Street, St. Louis' most needed commercial thoroughfare* is dated May, 1919. The report is a study for the improvement of a street to form the backbone of St. Louis' street system. Local and general interests in the city are said to desire it, and an ordinance is needed at once to authorize it.

Of quite a different character is the little study by Professor Frank A. Waugh for the development of the village of Grand Canyon, Arizona, published by the United States forest service, under whose jurisdiction the area belongs. The pamphlet has particular interest because it deals with a village on national territory, existing for tourists and planned in relation to the Grand Canyon. Automobile parking spaces and an aviation landing field are features of the plan.

The Dallas Property Owners' Association has been formed primarily to rejuvenate and improve the downtown district of Dallas,—the original city and its environs. Results of rapid growth have appeared in the distorted form of the city, and the association heartily endorses the inauguration of the city plan commission, and the evident intention of the city to develop along scientific and efficient lines. It wishes to co-operate with the commission and with the city development committee of the chamber of commerce. Mr. George E. Kessler has been engaged as engineer for the association, with Mr. L. V. Sheridan as resident engineer. All this is set forth in the first bulletin¹ of the association, April, 1919. The second bulletin, entitled

¹ *Dallas Property Owners' Association. What it stands for and what it hopes to accomplish.*

the *Union Station District*, issued in June, 1919, is a study of one district in downtown Dallas near the new Union station, showing why much land is vacant, and therefore idle from the point of view of property owners, and what improvements are necessary to make this land desirable. The study is one in a series which the as-

sociation expects to issue dealing with similar areas in the city. This work of the Dallas property owners' association is a stimulating example of the recognition of the business value of city planning, and of what an organized force in the city can accomplish to promote sound planning and development.

ZONING IN PRACTICE

BY CHARLES H. CHENEY

Secretary California Conference on City Planning Consultant Portland, Berkeley, Alameda and other City Planning Commissions

This was considered the most valuable paper delivered at the recent Buffalo Conference on City planning. It represents the new, California viewpoint in some respects and advances ideas that are not, as yet at least, universally accepted, although received with entire respect by city planners. :: :: ::

ZONING is the first fundamental step in any city to establish a practical basis for constructive city growth. Until zoning is done, no city planning commission can effectively prove its case as to the necessity for the adoption of a Major Street Plan, or properly promote greater economy, convenience, safety, health and comfort in industrial, business or living conditions; nor make the city more beautiful and attractive. Once adopted, a well worked out zone ordinance will guarantee a definite and safe place for industrial investment; protect home neighborhoods, stimulate home ownership, and assure more contented labor conditions; remove much of the suspicion and uncertainty from real estate, while stabilizing property values afford greater security for mortgage loans; form a surer basis for assessment; and provide the city for the first time with a firm foundation for the solution of the problems of congestion, traffic,

paving, sewers, public utilities, housing, schools, and recreation.

We cannot discuss residential zoning, the subject originally assigned for this paper, without first considering its objects with relation to industry and retail business. From practical experience in several cities, we found that the best way to draw boundaries of residence districts is to work out first the business and industrial boundaries —what is left will naturally form the residential zones. But before going into detail I want to lay before you in contrast the several kinds of protections which we must provide, from the point of view of industry, the worker, real estate investors and the ordinary home owner.

In the fall of 1918 with the war shipbuilding industry at its height the Emergency Fleet Corporation and the War Industries Board had to serve notice on many cities of this country that unless adequate housing were

provided for shipworkers and munition employees, where they could live contentedly, large contracts might be taken away and new ones diverted to those centers which could meet these requirements.

INDUSTRIES MUST HAVE CONTENTED HOME CONDITION FOR EMPLOYEES

Up to this time the matter of contentment of employees had not been taken into account so seriously, nor was its relative importance to industry so well understood. But when the labor turnover in shipyards on both seacoasts ran as high as 1100 per cent, or one new man for nearly every job in the yard each month, it became evident that the state of contentment, or discontent of the men, which caused their shifting about in such great numbers, was worth analyzing to find if possible some practical remedy. That a decent house must be furnished for every married man (and approximately 60 per cent of the industrial workers in Portland and other coast cities were married or had dependents) and that a comfortable place must be provided for single men, became a principle accepted by industries and the business world as an economic as well as a social problem, to be solved as a necessary part of each business undertaking.¹ Labor managers show that more than half of their employes being married, the preference is given to married men when a letout comes. Married men are naturally inclined to stick on the job and in the long run are considered more reliable than the single men, who think they can afford to be floaters and drift from yard to yard. The married workers have an average of four other dependents and the per-

¹ See "Labor Turnover" by Prof. George J. Eberle, of the University of Wisconsin, in *American Economic Review*, March, 1919.

manent location of this family of five in any city has direct bearing on the prosperity of neighborhood and downtown stores, and of the community in general.

In providing housing for industrial workers it was found that contentment depends also on municipal regulations and protection of home neighborhoods. Aside from the difficulties of getting a home at a price or on terms that workers can pay, we found in Portland,² Alameda and Los Angeles that many such men, though inclined to acquire homes, were afraid to do so for fear some one later would ruin their investment and home neighborhood by building an apartment, stable, laundry or public garage next door. Big industries and business men therefore have good reason to work for the establishment of protected residential zones, as a definite encouragement to home ownership and to more stable labor conditions.

DEMAND PROTECTED HOME NEIGHBORHOODS FOR THE POOR AS WELL AS FOR THE RICH

Labor leaders see this from another point of view. When the new act permitting the zoning of all cities in Oregon was up for final passage last March in the state legislature, some misunderstandings of it were expressed, to which I heard the acknowledged union labor leader in the house retort hotly, "you rich men live in protected and privately restricted home neighborhoods and let all the stables and public garages and other dirty businesses intrude into any block of the workers' home neighborhoods, to spoil

² For a more complete statement of findings in Portland see "Zoning and City Planning for Portland, Oregon," published by the City Planning Commission, June, 1919.

all that they work and live for." (The bill was passed.)¹

INDUSTRIES MUST HAVE A SAFE PLACE TO INVEST

Industrial plants, stables, warehouses, laundries, etc., are offensive neighbors in home sections, so much so in fact that cities all over the country are excluding them by ordinance from residence districts. But we must have industries, and they are entitled to a safe place, officially established, where they can put in every investment necessary to meet competition, and be secure from the protest and annoyance of residences adjoining. The small home owner, the tenement or apartment, the cheap hotel are continually preying upon the need of adjoining industries to expand and buy them out, meanwhile making no repairs and permitting slum conditions to develop. Anyone who has looked over the industrial sections of a number of cities will recall that the slums are generally on the edge of the factory district, where uncertainty of the future use of property has made low rents and an influx of down-and-outers.

Close students of city development know that there is an increasingly large migration of industrial plants, both in America and in England, out of the cities into the country. If we fail to act promptly in establishing a safe place in the city limits our cities are liable to lose most of them altogether in the next decade.

We have found in Portland and elsewhere that a large proportion of our industries today have to do business on a residential basis, that is the small residence owners surrounding the plants

refuse to be taxed for wide, heavy hauling pavements, extra large sewers for industrial wastes or for high pressure mains for extra fire protection, and protest loudly enough to block needed spur tracks in the sidewalks, elevated sidewalks for deliveries, and other modern facilities necessary to a live modern business, that has to compete with more favorably located manufacturers not similarly held back.

To put their industries on a competing basis and avoid these drawbacks, Alameda and some cities have established industrial zones in which no new permits to build residences will be granted. This seems to be the only effectual method possible to prevent factories from being driven entirely from our cities. A place must be made for them where they will feel safe in putting in their heavy investments or these investments will not be made. The chief engineer of the city of New York, Mr. Nelson P. Lewis, says that the prohibition of residences in industrial zones is one of the most important protections to put in a zone ordinance. He recently recommended it to the Illinois state legislature to be included in its new state zoning act.

REMOVING THE SUSPICION AND UNCERTAINTY FROM REAL ESTATE

Suspicion of real estate as an investment, on the part of the general public, has been prevalent for the past ten years, in fact pretty generally so since the panic of 1907. Tabulations of the losses incurred in the various cities of this country and Canada are only beginning to be available, but sufficient evidence exists to show that a number of the main causes of suspicion and uncertainty can be removed.

So many agents in different cities have told me of having the following experience that it seems well nigh

¹ Chapter 300, Oregon Statutes for 1919, effective May 29, 1919. It is identical with the California act, and similar to the New York and New Jersey acts.

universal. An agent sells an investor income-bearing property in a seemingly good location. Next month or next year the adjoining property is acquired by a new owner who turns it into an undertaking parlor, a laundry or a public garage, or builds an overhigh building on it, cutting off adjoining light and air, thereby depreciating the rental returns of the first investor and of other nearby properties. The real estate agent is then blamed, and most unjustly so, for having advised the first purchase. In other words there is no stability to real estate in most cities because of the lack of regulations to prevent undesirable uses of property from encroaching in the same block with good residence, good apartment or good business income-bearing property. Investors, banks and mortgage loan companies, as well as the small home owner, the renter, and both capital and labor have, therefore, recently become vitally interested in having sensible zone ordinances passed that will stabilize real estate values and remove suspicion and uncertainty from them.

THE FORM OF ZONE ORDINANCES NOW BEING ADOPTED

It is for such reasons¹ that zone ordinances have now been adopted recently in cities of all sizes and kinds throughout the country, including Los Angeles in 1909 (population 561,000); New York city, in 1916 (population 5,750,000); St. Louis in 1918 (population 780,000); Alameda in 1919 (population 32,000) and Palo Alto in 1918 (population 6,000). These ordinances have been presumably adopted to fit

¹ For more complete statement of reasons see "Report of the Commission on Building Districts and Restrictions, New York City, 1916," also "Zoning and City Planning for Portland, 1919," and "Zoning for St. Louis, 1918."

the special needs of each of these cities, but as a matter of fact it is well known that the earlier ordinances at least are largely a matter of compromise between what was needed and such opposition, mistaken or otherwise as developed at the time of passage.

Obviously it is the duty of the city planning commission to do its whole job, by proposing a zoning plan that will give all the protection needed to all kinds of building development and property in the same ordinance. We recognize that legally, as few classifications or distinctions as possible are advisable in a zone ordinance, and hence we are all trying to get this number down to a minimum. But each city has its own requirements and natural tendencies of growth which must be carefully taken into account and provided for.

Zoning discussions were started in Portland, Alameda, Palo Alto, Berkeley, Fresno and other cities with which I have been personally familiar, by printing a standard outline ordinance, in brief form as follows, which was handed to each person present at a zoning conference or meeting:

STANDARD OUTLINE OF A ZONE ORDINANCE

Three kinds of districts will have to be established:

Use Districts are necessary to prevent the scattering and intrusion of inappropriate and destructive uses of property, which make uncertain and decrease property values, and for other reasons stated below.

Height Districts are necessary to maintain proper light and air and for economic reasons. Thos. Adams says: "In our Canadian cities the skyscraper is the stepbrother to the vacant lot, only that for every skyscraper there are probably a hundred or more vacant lots. This is an unhealthy and uneconomic condition and is causing us to try and get a more even and less scattered form of development by restricting the use and height of buildings."

Area Districts are necessary to prevent over-

crowding, and for the protection of residence neighborhoods particularly.

The establishment of *Use Districts* alone would not fully accomplish the protection sought. *Height and Area District* regulations are equally necessary to prevent congestion and to secure light and air. Each is an inseparable supplement of the others. As long ago as 1909 the United States supreme court upheld the city of Boston in its right to establish a lower height limit for outside residence districts and a higher limit for downtown business districts.¹

The degree of use, height and area district regulations necessary will vary according to locality, tendencies of development and natural conditions.

This ordinance would apply to new building permits only—existing buildings and uses not to be affected.

Amendments to the ordinance will be necessary from time to time to meet the growth of the city. No ordinance can be passed that cannot be amended.

The *Use Districts* apparently necessary are as follows:

Residence Districts of:

Class I. Single family dwellings only.

Class II. Dwellings, flats, clubs, dormitories, apartment houses, hotels without stores, railroad shelter stations.

Business and Public Use Districts of:

Class III. Retail businesses, trades and professions, railroad passenger stations, including residences of Classes I and II.

Class IV. Schools, public and semi-public buildings, churches, playgrounds, greenhouses, parks, including single family dwellings.

Class V. Retail business of Class III, plus public garages, dyeing and cleaning, undertaking parlors, wholesale business, oil supply stations, railroad freight stations and sheds, including any residence, business or public use of Classes I, II, III or IV.

Class VI. Hospitals, sanitariums, charitable institutions, including any kind of residence of Classes I or II.

Industrial Districts of:

Class VII. Ordinary, not obnoxious factories, warehouses and industries, in-

cluding any business use, but permitting no new residences of any kind.

Class VIII. Obnoxious and odor producing factories, including any kind of business use, but permitting no new residences of any kind.

Height Districts necessary seem to be (They may cover a number of different classes of Use Districts):

$2\frac{1}{2}$ -Story Districts—Limited to a maximum of 2 stories and finished attic not to exceed a total height of 35 ft. to finished ceiling line of attic floor, above the curb.

4-Story Districts—4 stories not to exceed 50 ft.

6-Story Districts—6 stories not to exceed 70 ft.

8-Story Districts—8 stories not to exceed 90 ft.

Other Height Districts—if found advisable. These height limits would apply only to new building permits.

Two classes of *Area Districts* seem to be necessary for the protection of the residence districts:

A Districts—Rear yard minimum depth at any level equal to one-third height of building.

Residences not to cover more than 65 per cent of lot.

B Districts—All buildings to be detached and rear yards to have a minimum depth equal to five-twelfths of the height of the building. Residences not to cover more than 40 per cent of the lot on the ground floor, nor more than 30 per cent above.

(NOTE.—In cities or states where little or no housing code has been adopted it is often advisable to have further area classifications, as in the ordinances of New York city, St. Louis, etc.)

This standard list is equally useful in a large or a small city, to start discussions with. Not all these classifications always prove necessary or advisable in the final ordinance,—thus in Palo Alto the city decided not to have any Class VIII districts inside the city limits, and only had need of two classes of height districts— $2\frac{1}{2}$ and 4 stories.

On the whole, however, the foregoing is the lowest number of classes of use

¹ *Welch v. Swasey*, 214 U. S. 91; 29 Sup. Ct. 567, decided May 17, 1909.

districts possible to cover all the zoning problems of any city of size. It seems the minimum possible between the 3 very broad classes in the New York ordinance, and the 27 classes in the Berkeley ordinance of 1916. Briefly it consists of 2 residence classes, 2 kinds of business districts, 2 special business classes and 2 kinds of industrial classes.

The reasons for having these classes are as follows:

USE DISTRICTS

Residence Districts of Class I—Single Family Dwellings Only

In most American cities, excepting New York city, San Francisco and possibly Chicago, 50 to 90 per cent of all buildings are used as single family dwellings. This is the measure of the home and the home ownership, the backbone of our nation which from all points of view—economic, social or moral—it is our most imperative duty to foster and protect. God grant we shall always keep them foremost in our minds in whatever zones or plans we make.

Eighty-two per cent of all the buildings in Portland (population 325,000) are single family dwellings. In a suburban city like Berkeley I found by actual count over 90 per cent single family dwellings, with almost the same proportion in Alameda. Evidently the job of the city planning commission was to protect these great numbers of blocks of home owners from the invasion of flats and apartments, with their renter and floater population, as well as from business and industrial buildings. Even if only a few blocks need this protection the classification must be put in the ordinance. We need flats and apartments, but not scattered through every block of the city, to discourage and make less desirable the home of the most important social

unit, which is a single family, living and developing by itself.

Once a block of homes is invaded by flats or apartments, few new single family dwellings ever go in afterwards. It is marked, "on the toboggan." The land adjoining is forever after held on a speculative basis in the hope that it may all become commercially remunerative, generally without thought of the great majority of adjoining owners who have invested for a home and home neighborhood only.

A prospective buyer will go down a block looking for a home or home-site and if there be one building in the block that is a flat or apartment, or even looks like one, this buyer, nine times out of ten, moves out to a neighborhood where the neighbors will all be of the same home class, so I am told by realty agents. It is instinctive.¹

Berkeley has established a number of districts of Class I in the piecemeal zoning done since 1916 (a method which is not recommended). St. Louis established a few blocks in Class I in its ordinance of 1918. In Alameda, about half the total area of the city was put into Class I; however, this included three-fourths of the built-up districts. In Portland about three-fourths of the total area of the city has asked to be put into Class I and I believe will be so established.

Residence Districts of Class II—Single Family Dwellings, Flats, Clubs, Apartments and Hotels

This is the general broad residence classification necessary for the older districts around the heart of the city, and for the traffic or car-line streets in outlying sections on which we find, from our use of property maps, that

¹ Professor H. B. Hastings of Reed College has had students plot the dates and uses of all buildings in a large area of Portland, and the tabulated results bear this out.

most of the flats and apartments build up. The renter class which occupy these buildings have few children on whose account to be afraid of traffic and cars, and they seem generally to prefer to be able to step from their door right on a street car going downtown.

In Portland we find approximately one flat, apartment or hotel for each 18 single family dwellings—in other words 6 per cent of the area allowed for all types of dwellings is all that is naturally required for Class II uses. To throw much more than this proportion of the city's area into Class II is, therefore, an unnecessary setback to home ownership, as this proportion is all the city has been able to absorb.

Business and Public Use Districts of

Class III. Retail business, trades and professions, including residences of Classes I and II.

Class V. Retail business of Class III, plus public garages, dyeing and cleaning, undertaking parlors, wholesale business, oil supply stations, including any residence, business or public use of Classes I, II, III, or IV.

These two classes combined cover all the ordinary mercantile pursuits, and together correspond to the single business class established in New York, St. Louis and elsewhere.

Retail owners, however, tell us that it hurts their business to have a public garage, an undertaking parlor, dyeing and cleaning works or other business of Class V next to them. The ordinary store, bank or office building, undoubtedly is damaged if this is permitted. Garages and Class V businesses generally seek the side streets and the lesser rents, but once in a while one gets into a strictly retail block and either destroys the rents on that side of the

street, or else hold back a district properly belonging to retailers who would be glad to pay the higher rents. We believe on the Pacific Coast that the retailers are entitled to this protection and we are giving it to them by the establishment of a few limited centers of Class III with nearly always a few adjoining blocks in Class V, because we need garages and other Class V businesses at these centers as well.

Small retail businesses are necessary about every half mile across town, for the convenience of residence neighborhoods, and here public garages should be permitted. These small centers we have generally put into Class V without distinction, except where the district became a number of blocks in extent.

One of the commonest fallacies of real estate developers and speculators has been the attempt to shoe-string business, in outlying districts particularly, for miles along the main traffic arteries. Comparison of use of property maps showing existing buildings in several cities, should quickly convince anyone of this. In drawing the boundaries of these neighborhood business districts we have tried to hold down the amount of vacant property thrown into Classes III or V, to a total of two or three times the business that may be expected to be done there within ten or fifteen years.

It is the object of zoning to remove uncertainty and stabilize as much property as possible. In Portland we find that there now exists one store for each 60 people in these outlying neighborhoods; in other words for each new store business that can come into a neighborhood, and keep going, there must be at least an average of 12 new families. These neighborhood storekeepers tell us that they do 80 per cent of their business with families within five or six blocks of the store. When

these adjoining five or six blocks are already 80 to 90 per cent built up it is obviously impossible to anticipate a great increase in the amount of new stores that can succeed in such a district, and to throw more than two or three times the existing store property into a business district at such a point simply means a lot of property held many years in uncertainty. The income from this property in the meantime, if improved with flats, apartments or dwellings, might well pay handsomely, instead of being a burden held out of use.

After property owners' eyes are once opened to these facts we find them much more anxious to have property on traffic streets put into Class II for flats and apartments, unless they immediately adjoin an established local neighborhood business center, also because real estate men can easily prove that flats and apartments with-

out stores underneath, generally bring in better rentals than those with stores below; often considerably better than the small store rents of the ordinary one story neighborhood store building. We have established many small Class V districts in new neighborhoods, comprising as little as four corners only 100 feet square, with an adjoining block or two of intersecting traffic streets in Class II, and then many blocks in Class I.

The following figures are interesting in giving the relative number of existing business firms and institutions in coast cities, classified according to our standard list. The most of these cities are not yet zoned:

The relative proportion of each class to the whole, it will be noticed, is approximately the same in all of these cities. It is not weight of numbers that is important, but rather the relative effect of the various uses of property

COMPARISON OF EXISTING BUSINESS IN PACIFIC COAST CITIES*

City.....	San Francisco 1918	Los Angeles 1917	Seattle 1918	Portland 1918	Oakland and East Bay† 1918	Sacramento 1918
Date Counted.....						
Population.....	568,600	561,050	363,700	272,500	814,050	57,955
<i>Class III.....</i>	20,569	17,399	8,072	8,106	7,002	2,003
Depart. stores, hotels, offices, retail, banks, theaters and clubs						
<i>Class V.....</i>	2,041	1,688	1,529	560	616	404
Wholesale bus., work shops, public garages and stables, storage houses, railroad stat.						
<i>Class IV.....</i>	457	782	417	441	896	105
Fire and police stat., relig. and educat. instit., parks, large clubs						
<i>Class VI.....</i>	51	71	29	86	40	9
Homes, hospitals						
<i>Classes VII and VIII.....</i>	835	1,047	446	431	474	141
Manufacturing, yard stor., power ho., R. R. yards						

* Compiled by the writer from counts made available through the courtesy of the Pacific Telephone & Telegraph Co.

† Comprising Oakland, Berkeley, Alameda, Emeryville, Piedmont, San Leandro and Albany.

that counts, and where we may permit them to locate, particularly objectionable uses, so that they will do the least damage to others.

Business and Public Use Districts of

Class IV. Schools, public and semi-public buildings, churches, playgrounds, greenhouses, parks, including single family dwellings.

Class VI. Hospitals, sanitariums, charitable institutions, including any kind of residences of Classes I or II.

These two special classes of business and public use districts are necessary to meet a widespread complaint, which we believe justified, that if these types of buildings are allowed to locate indiscriminately and without warning, they very often injure ten or more adjoining property owners to the benefit of the one. Even though they represent considerable groups in their public or semi-public capacity, it is certainly unfair to allow them to do any more damage to the desirability of a neighborhood or to its property and rental values, than is necessary. We need these buildings and institutions, but it is certain they will do the least damage if limited to a few well located centers. In the case of schools and churches, the neighborhood should certainly be consulted before they are granted a permit to build.

In practice we have established in Alameda, Berkeley, Palo Alto and elsewhere nearly every piece of property existing in a Class IV use, as a definite district of Class IV so that alterations and additions may be made, but require each new building of this use to have an amendment of the ordinance, with a hearing of the neighborhood before going ahead.

As pointed out by retail business men, public buildings, schools, churches

and other Class IV uses block the path of retail business. They are "dead-heads" as far as customers are concerned. To cover this we have excluded Class IV uses from the Class III business districts.

Class VI districts, for hospitals and charitable institutions, are a serious problem. Existence of these buildings makes it difficult to dispose of the adjoining property without very considerable loss of values or rents. I find the assessor in Portland and in other cities reducing at least 10 per cent of the assessment of all property adjoining within a block, when a new hospital is built. This totals a loss in taxable returns to the city, often of a much greater amount than the value of the new hospital, to say nothing of the two or three times as much loss, at actual value, to the property owners themselves.

Hospitals and sanitariums have for years invaded the best residence districts of most of our cities, and have often been the subject of regulation, usually a special permit being required, approved by the city council. This permit method is, however, very unsatisfactory to all parties concerned, both as to hospitals and as to other types of uses, about which there is conflict of opinion or interest. City officials are generally glad to do away with it in favor of the fairer and surer zoning plan, which saves them much pulling and hauling.

In practice we find very few neighborhoods willing to establish permanent hospital districts of Class VI, even to include existing institutions. But we must have these institutions, and the least damage is done by forming a few better located hospitals into permanent districts, and requiring new institutions of this kind to locate adjoining them.

Industrial Districts of

Class VII. Ordinary, not obnoxious factories, warehouses and industries, including any business use, but permitting no new residences of any kind.

Class VIII. Obnoxious and odor producing factories, including any kind of business use, but permitting no new residences of any kind.

We find two objects to be fulfilled in the establishment of industrial zones.

The first is to set aside certain reasonably small parts of the city, accessible to transportation, where the city and the factory owner can jointly install those special facilities which make industries able to compete, or have an advantage over other cities and districts. Briefly, these are:—wide heavy hauling pavements; extra large sewers for industrial wastes; extra high pressure fire system; enlarged water main; unlimited spur tracks in the sidewalks if desired, or elevated sidewalks for deliveries; access to harbor or river, closing of all streets unnecessary to through traffic; high tension power lines; permanent convenient location of freight depots, team tracks and classification yards; and adjustment of street car lines to deliver employes conveniently.

It is evident that a beginning must be made somewhere in the concentration of these facilities. Neither city nor industrial owners can afford to install them in many places, nor much in advance of their actual use, although a beginning may well be made in two or three widely separated sections of the city at once.

The second object to be sought is a safe place in which industries may invest and know that they are not to be held back by small residence owners. Hence we have found it better to make our industrial districts small and compact, with few properties thrown into

them until actually in industrial use, unless prohibiting the small home-owner, or the building of further residences of any kind that might sooner or later hold up facilities required, and smother the industries, as is now the case in so many cities.

Two Classes of Industrial Districts Necessary

In Portland,¹ Berkeley, Alameda and other cities we have started our discussions on the requirements of industrial zones by sending a questionnaire to every employer of ten or more workers asking what kinds of industry they can best do business adjoining and what facilities are required. These answers point out the absolute necessity for a distinction between Class VII and Class VIII industrial districts, as outlined above. A food products factory cannot be next to a soap works or chemical works for fear of having its product tainted. The ordinary make-up industries say they could not keep their employes if excessive odor or smoke producers be permitted next to them.

Most cities already have some kind of regulations requiring slaughter houses, tanneries and similar industries to which there is much objection, to locate in outlying sections. Yet only a few years after they get well established there, however, we find them again surrounded by small home owners, who proceed to organize and sooner or later drive these industries out, as nuisances. The fair and constructive way is to establish permanent zones for industries of the Class VIII type on the windward side of the city and prohibit any residence therein.

Most cities have followed the lead

¹For summary of answers and other figures see "Zoning and City Planning for Portland, Oregon, 1919," published by the city planning commission.

of New York in making their zone ordinances apply to new building permits only, all existing uses and heights not in conformity with the several zones established, not being affected. This simply prevents matters from getting worse without curing flagrant existing conditions.

Los Angeles on the other hand, as far back as 1909, passed a so-called retroactive zone ordinance, as to industries and nuisances in residence districts, giving laundries, brickyards and various manufacturing plants one year to get out without compensation. While drastic and undoubtedly necessary in certain cases, this type of zoning is not recommended. It has, however, been upheld as legal and proper in a number of cases, both before the California supreme court and the United States supreme court.¹

The time to prevent the driving out of industries, and losses so incurred, is before they locate. Our coast cities (and many others) are very young, just beginning to grow up. They are due to be a number of times the size they are now, with an industrial expansion I believe hardly yet dreamed of. It is not too late to begin the establishment of the right kind of permanent industrial zones in these or any other cities. Competition will very likely soon force every city serious in retaining existing industries or securing new ones, to establish this kind of concentrated industrial zone, in which dwellings are prohibited, and where real facilities are to be found.

While we appreciate the great step forward made by New York and other large cities in establishing their "business," "residence" and "unrestricted" districts, the last as the name implies, are simply a part of the zoning and city planning work left unfinished. There

is danger to smaller cities in blindly adopting the New York or in fact any other city's zoning regulations. Once industrial property owners understand, they are quick to demand zoning that will remove the menace of the small home owner from the industrial neighborhood and make a place really safe to invest and develop facilities. The "unrestricted" district of course does not do this—it merely tolerates industries, without prohibiting impediments or concentrating facilities.

HEIGHT LIMITS

In establishing height limits, we have adopted story heights as our unit because they are absolute, and definite as a measure of congestion. Reference to street widths is variable and unfair in most cases to property interests, as that method favors the owner facing wider street or a square. To limit congestion and make a more even and fair distribution of the use of land is equally important with securing proper light and air. We have also established a maximum height limit in feet, measured to the ceiling line of the top story, instead of to the mean height of the roof, as the latter method condemns the city to flat roofs.

Two and one-half story height limits are necessary to home neighborhoods, if they are to maintain their natural tendencies of growth. In Portland, we find 97.4 per cent of all existing buildings to be $2\frac{1}{2}$ stories or less in height, including approximately all the single family homes of the city; in Berkeley 98.4 per cent and in Alameda 99.6 per cent. Most all the outlying residence districts in Portland have asked for a $2\frac{1}{2}$ -story height limit.

Those who argue for a 3-story height limit for residence use zones, will generally be found to contemplate invading them with flats or apartments of this

¹ The most notable of these is *Hadacheck vs. Sebastian*, 36 Sup. Ct. 143 (1915).

height. The prospective home purchaser going down a block will appraise carefully the *semblance of use* of each building. It is not a matter of esthetics or beauty at all, but one affecting seriously the desirability of the neighborhood in the mind of the purchaser. A 3-story limit is prejudicial to home buyers, and where a large proportion of owners, each with a house of $2\frac{1}{2}$ stories or less, desire to maintain this home character of the neighborhood, they are entitled to do so, in our opinion. Districts already invaded by a few 2-story and attic flats can even be reclaimed (as to desirability and values we believe) by establishing this $2\frac{1}{2}$ -story limit, which requires a pitched roof like most residences and thus preserves the semblance of single family residence use.

A 3- or 4-story height limit is the maximum advisable to allow in the outlying districts of large cities. Families should not be permitted to pile up in apartments to a greater height for reasons of safety, convenience and health. Commercial speculators will promote higher limits for selfish reasons, but most property owners realize that two 3-story buildings are worth more than one 6-story building, which generally sucks all the tenants out of neighboring lower buildings, while seldom paying any large returns of itself.

A $2\frac{1}{2}$ -story height limit for residence districts and a 4-story limit for business districts is sufficient for small cities. Alameda and Palo Alto have adopted these limits, with comparatively small 3-story districts covering Class II apartment house zones. In larger cities other height limits are established as required. The tendency in all cities at present seems to be to hold the height down as far as possible, to a sensible limit that will guarantee light and air after the district is built up solid. In

making any limits we must always think of the situation as it may ultimately develop.

Methods of Determining Zone Boundaries

One of the most important matters in all city planning work is to guard against being autocratic. Property owners naturally resent being told what they shall do with their own. All city planning commissions find that there is at first very little understanding of the necessity for zoning regulations or the determination of a major street plan, or other city planning steps that must be taken. Yet it is as much their duty to enlighten property owners and others directly affected as it is to secure an agreement with them upon an acceptable plan that can be adopted by the city council. City councils can be expected neither to adopt plans for which no general public demand and understanding has been created by the city planning commission, nor to initiate such plans. The attitude of the city planning commission must continually be with property owners, districts and meetings, "What can we do for you?"

On the Pacific Coast we have adopted a method of working out zoning boundaries which has the double advantage of enlightening each neighborhood of the city as to what it needs, and of having zone boundaries proposed by property owners themselves, in a thoroughly democratic way. We have gone directly to each of the various neighborhoods that have naturally grown up (in Portland some 28 in all) for conference. The president of the planning commission appoints an advisory committee of five to seven representative property owners, and we sit down with this committee, in each neighborhood in turn, with our use of property map, heights of build-

ing map and other carefully prepared data, and they suggest where to draw the boundaries of the business, residence and industrial zones, and the heights and area limits needed for their proper protection. These suggestions, drawn up in a brief signed report and diagram, are read by one of the committee to his neighbors at a neighborhood zoning meeting called by the planning commission in the neighborhood schoolhouse, library or civic club, notices of which are sent by card to every building in the district, and publicly posted every two or three blocks. After careful explanations by the consultant and member of the planning commission, this report is ratified or amended, and becomes the preliminary recommendation of the neighborhood to the city planning commission. When these committee and neighborhood meetings are finished the city planning commission pieces together the diagrams and recommendations so evolved into a general preliminary zone plan for the whole city, behind which there is already a definite demand and sentiment. After general public hearings to see if anything has been overlooked or readjustments necessary, the commission can send this zone plan to the city council, with the knowledge that it is the plan of the property owners of the whole city, not of the commission alone, and with a group in each neighborhood ready to fight for what they know they want.

This procedure is both the most scientific and the most democratic we have been able to conceive. There is danger in it however, if the neighborhood committees are not given complete information by the consultant and representatives of the planning commission as to the data collected; and any neighborhood meeting held without thoroughly informing a few of the property owners in advance is

likely to go wrong. But with caution, tact and carefully explained maps the city planning commission can in no better way find out and interpret the necessities of neighborhoods to be taken care of in the permanent city plan.

Every city can show a large number of property owners who are against zoning and all other city planning proposals which are new to them, no matter how suitable or practical they may be. But take up with these same men the specific question, "shall the city permit a laundry, a public garage or even an apartment to go next door to your house?" and the matter has a different aspect immediately. As a neighborhood affair among neighbors, which it really is, practical proposals are soon forthcoming, and generally with the profound thanks we have found, of those most vitally concerned. I believe we have sometimes made the mistake of too much general talk and publicity, and of too little conference with neighborhoods. The genuine civic consciousness aroused at these meetings is better in effect than many years of general agitation. It creates a real understanding and demand for city planning. With the zoning finished it is easier to get an agreement on a major street plan, paving program, tree planting program, boulevard system, etc.

Success from the adoption of these methods is predicated upon the city's establishment first, of the proper machinery, *i.e.*, a permanent city planning commission, founded by ordinance; and second, of continued adequate appropriations for the commission, by which it can employ competent help, prepare complete data maps and assume the responsibility incident to giving that real co-operative service in planning the city's growth, which alone justifies the existence of a city planning department.

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS

OUT OF THE RUINS. By George B. Ford.
New York: The Century Company, 1919.

Mr. Ford has written an account of reconstruction in France at once interesting to the general reader and valuable to the student of government. It is the latter aspect of his book that will be taken up here. Well known as a city planner in New York and other cities in this country, chosen early for reconstruction work in France by the American Red Cross and quickly recognized there at his true value, his experience well qualifies him to treat this subject. From the modest narrative the reader will get little idea of the importance of Mr. Ford himself in the activities of the Red Cross, and no hint of his manifold usefulness in other related fields.

Mr. Ford's book gives not only a general account of the task to be accomplished in the devastated regions of France and the progress so far made, but at the same time a multitude of specific facts, figures and references which will enable the special student to consult original sources in so far as available here or, in time, get the information from the other side. The subjects covered include all phases of the work of reconstruction, such as the condition and resources before the war of the various devastated regions in France, including Alsace and Lorraine, the nature and extent of the war damage in each of these regions, the organization and methods of temporary and permanent relief, public and private, in the various localities, the legislation upon which it was based, etc. There are many illustrations and maps, the most interesting, perhaps, of which indicates the nature of the devastation, and needed reclamation in detail by showing (1) the exact limit of German advance; (2) the zone where only removal of projectiles is necessary; (3) the zone including trenches and shell holes to be filled; (4) the zone where cost of bringing back exceeds value of land.

Particularly helpful are Mr. Ford's chapters on recent legislation in France, which the critical events of the last few years have brought forth, relating not only to the restoration of the devastated regions, but to the principles of city plan-

ning and construction throughout France for all future time. These laws deal with (1) the repayment of the damages caused by the war,¹ (2) the reparcelling of rural land,² (3) the increase of the power of excess condemnation,³ and (4) city planning.⁴

1. As a basis for the law for the repayment of the damages caused by the war, France has adopted a principle new in legal history. Hitherto the state has refused to assume liability for any of the acts of the enemy and for many of the acts of its own citizens in the conduct of war. Relief has in such cases often been granted, but it has always been limited to certain selected cases or classes of cases, thus making it more or less arbitrary and a matter of charity rather than of right. In the present law, the French people "in recognition of the equality of all Frenchmen and the solidarity of the nation" assumes liability for all damage caused by the war, not so doubtful or remote as to be incapable of legal adjustment; and by requiring or encouraging the expenditure of the money so allotted in the devastated region itself, it to some extent makes good even the indirect losses by restoring a measure of prosperity to the region. The enactment of this law, while in no way essential to the claim of full recompense against Germany, certainly strengthens that claim.

2. The law for the reparcelling of rural property was rendered a necessity by the destruction of boundary lines and title deeds in the devastated regions. The need of such a law, however, is much wider and more general. Throughout France by custom and the law of equal inheritance among children, agricultural lands have in many cases become by subdivision too minute for profitable cultivation or the application of modern methods of agriculture. Conditions were the same in many continental countries; and in most of them statutes more or less similar to the French law just passed have existed for decades and proved most useful. From them

¹Law of April 17, 1919. Belgium passed a similar law a little later.

²Law of November 27, 1918, amended March 4, 1919.

³Law of November 8, 1918.

⁴Law of March 14, 1919.

have developed laws for the replanning of building land, which are also of great service, the best known of which is, perhaps, the German "Lex Adickes."

3. The law with regard to excess condemnation while not, as the casual reader of Mr. Ford's book might infer, the first statute of the sort in France,¹ greatly extends this power. Under it, the right is also given to impose an excess benefit tax on any neighboring property, not taken, whenever its value is increased more than 15 per cent by the improvement.

4. Of most interest of all these statutes to us is the City Planning Law, a brief account of which was given in the October issue of this magazine. Of this law, Mr. Ford says:

"It is the first broad compulsory national town-planning law in the world, and France has set a standard which other nations are hastening to copy. It was on the strength of the example set by France that the British House of Commons voted on May 28, 1919, a law making town-planning compulsory throughout England from 1923."

It may be doubted, as the hasty reader of the above passage might infer, whether the new French law deserves to be considered the completest and best law on this subject in Europe. Nor should it be forgotten that the English statute of 1919 was the result of many years of discussion and effort. And, while a measure of state control in city planning certainly seems essential, it must still be regarded as uncertain how far that control as a limitation on local home rule should and will prevail. In any case the passage of the French statute is a great event in the history of city planning and the measure deserves the careful study of city planners everywhere.

Of importance equal, perhaps, to that of these statutes are the new sanitary ordinances, known as "Model A" for cities, and "Model B" for villages and rural communities. These ordinances set a much higher housing standard than any that has ever prevailed in France. Their importance is due to the fact that under the law with regard to the payment of the damages of war in the devastated regions already referred to, all reconstruction paid for by the state must

¹ The previous enactments are: The decree-law of March 26, 1852 (originally applicable only to Paris but now extended to many other cities), amended by par. 118 of the law of July 13, 1911, and the law of April 10, 1912; the law of February 15, 1902, amended June 17, 1915.

conform to the requirements they set and the state defrays the extra cost thereby incurred.

FRANK BACKUS WILLIAMS.

CITY MANAGER IN DAYTON. By Chester E. Rightor. New York: The MacMillan Co., 1919, pp. 271.

Mr. Chester E. Rightor of the Detroit Bureau of Governmental Research and his collaborators, Dr. Don C. Sowers, director of the Akron Bureau of Municipal Research and Mr. Walter Matscheck, secretary of the civics department of the Chamber of Commerce, Kansas City, Missouri, have laid all students of municipal government under a great debt by publishing their study of the city-manager plan in Dayton. All of them were formerly connected with the Dayton Bureau of Municipal Research and, therefore, have first hand information on the subjects which they cover in their volume.

In a few pages, they tell us how Dayton came to adopt the city-manager idea and set about installing the new system. In a few more pages they show how the first manager, Mr. Waite, built up his organization, carried on the routine of his office, prepared the budget and co-operated with the people of the city in making the manager's program a vital part of civic thinking in Dayton. Then follow chapters on the great branches of municipal administration, public welfare, public safety, public works and public finance. In these chapters are set forth in very concrete form, the measures taken by the Dayton government to improve all of the branches of public service. Sixteen pages are given to a very frank and illuminating discussion of the 1917 campaign in Dayton, the attacks made upon the city-manager plan, and the methods employed by the defenders of the idea on the one hand and the opponents on the other. Pertinent illustrations and graphs enhance the value of the work.

There are many people in the United States to whom this volume will be helpful. There are more than 150 cities and towns now trying out the city-manager idea. In each of them there are officers and citizens who will find in the work programs laid out in this volume, guidance and inspiration. The fate of the city-manager plan is still hanging in the balance and those who see promise in the idea will do well to ponder the lessons set forth in Chapter XI dealing with

the struggle recently waged to overthrow the Dayton system.

It will be noted that our authors are very careful to point out (page 211) that the socialists' objection to the system of election at large, which makes possible minority government, is in fact an objection to a one element "not in any way vital to the city-manager plan." In a phrase that recalls Patrick Henry's celebrated remark about George III, our authors say, "Dayton may profit by the experiments being made in Ashtabula, Kalamazoo and elsewhere." It would be unfortunate if socialists and other critics of the city-manager plan should be allowed to destroy an experiment which is so full of promise in uniting skilled technical service with popular control.

Although Mr. Rightor and his collaborators are frankly partisans of the city-manager plan, it must be remembered that a great part of their volume deals with organization and administrative methods that are matters of fact about which there can be little controversy. These matters of fact are illuminated by first hand contact with them, and contested points are dealt with fairly and in good temper.

The volume is a genuine contribution to that rapidly increasing body of literature out of which the science of municipal administration as a going concern will be formulated in the years to come. We are moving steadily away from the literature of arid description, criticism and abuse toward the literature of constructive helpfulness. In this advance municipal research workers have done their full share. No one in the municipal research movement has any cause for feeling over-righteous but there is good reason for believing that the movement is proceeding on sound lines. The volume before us is proof of that fact. We should always

remember, however, that our motto should be "Work, more and better work."

C. A. BEARD.



COUNTY ADMINISTRATION. By Chester C. Maxey. New York: The Macmillan Co., 1919. Pp. 203.

The title of this book suggests something more comprehensive than the contents warrant. It is, in fact, a study of county government in Delaware, constituting a portion of the survey of that state made last year by the New York Bureau of Municipal Research.

Delaware, as Dr. Beard points out in the introduction, has certain unique advantages for a study of this kind. Chiefly, it is virtually a state in miniature. It has but three counties and the author surveyed them all.

What Mr. Maxey found in his survey forms a striking confirmation of what students of county government all over the country have discovered: an archaic institution, amorphous, irresponsible, inefficient. Before much can be done by way of introducing modern administrative methods the structure must be made over. This Mr. Maxey proposes to do by introducing the county-manager type of government. But there should also be a separation, he indicates, between the urban and rural parts of the state for the administration of the state law. This would involve consolidation of all the local governments in Wilmington into one, to form an urban county; the rest of the state would constitute a single rural county.

There are a number of excellent diagrams and a good bibliography. Mr. Maxey has made an important contribution to a very much neglected subject.

H. S. GILBERTSON.

II. BOOKS RECEIVED

CONSUMERS' CO-OPERATION. By Albert Sonnichsen. New York: The Macmillan Company. Pp. 223. \$1.75.

EDUCATION AND CITIZENSHIP AND OTHER PAPERS. By Edward Kidder Graham. New York and London: G. P. Putnam's Sons. Pp. 253. \$1.50.

ELECTRIC FRANCHISES IN NEW YORK CITY. By Leonora Arent, Ph.D. New York: Columbia University. Longmans, Green & Co., Agents. 1919. Pp. 183.

EXPLAINING THE BRITISHERS. By Frederick

William Wile. New York: George H. Doran Company. Pp. 126. \$1.00.

FIRE DEPARTMENT MOTOR APPARATUS INSTRUCTION. By Captain Daniel A. Sullivan. New York: Civil Service Chronicle, Inc. Pp. 96.

MOTION PICTURES IN A TYPICAL CITY. By Rev. J. J. Phelan. Social Survey Series III. August, 1919. Printed by Little Book Press, Toledo, Ohio. Pp. 292. \$2.00.

MUNICIPAL REFERENCE LIBRARY NOTES. Volume IV. September 5, 1917-June 26, 1918. New York: Municipal Reference Library. 1918. Pp. 382.

SPECIAL REPORT ON MUNICIPAL ACCOUNTS BY THE STATE COMPTROLLER. State of New York. Albany: J. B. Lyon Co., Printers. 1919. Pp. 258.

THE FUTURE CITIZEN AND HIS MOTHER. By Charles Porter. New York: Houghton Mifflin Company. Pp. 144.

THE LABOR SITUATION IN GREAT BRITAIN AND FRANCE. The Commission on Foreign In-

quiry of the National Civic Federation. 1919. Pp. 429.

THE POWERS AND AIMS OF WESTERN DEMOCRACY. By William Milligan Sloane, L.H.D., LL.D. New York: Charles Scribner's Sons. Pp. 489. \$3.50.

YEARBOOK OF THE CITY OF CHARLESTON, S. C. 1918. Pp. 511.

III. REVIEWS OF REPORTS

The Framingham Demonstration—A Notable Test of Present Methods of Tuberculosis Control.—In December the Framingham community health and tuberculosis demonstration of the National Association for the Study and Prevention of Tuberculosis completed three years of existence, and would, according to the original plan of organization, have ended. It is, therefore, an excellent time for a review of activities and a summary of accomplishments so far, such as have been recently set forth in the statement of the executive officer and in the report of a special appraisal committee.

This community tuberculosis experiment owes its inception to Dr. Lee K. Frankel, third vice-president of the Metropolitan Life Insurance Company, who wrote in May of 1916, on behalf of the company, to the National Association, offering the sum of \$100,000 for the purpose of conducting a three-year study of the efficiency and practicability of present methods of tuberculosis control as applied to an especially selected, average community. The offer was accepted; and Framingham, Massachusetts, with a population of about 16,000, was finally selected as the place for the demonstration by reason of its varied industries and race groups, its normal amount of disease, its excellent facilities for health service, and the readiness of the community to co-operate in the experiment.

Interest in tuberculosis has long been very great because of the enormous social and economic losses involved. The methods of attacking the problem of alleviation, though generally similar, have never before been applied in a sufficiently concerted manner to measure adequately their efficiency in accomplishing the results for which they were devised. The Framingham demonstration, under the supervision of Dr. Donald B. Armstrong, executive officer, has undertaken a determination of the most practical means for the discovery, supervision, and treatment of cases of tuberculosis in

an industrial community, and an investigation of other diseases and of general external conditions with the view of establishing some possible predisposing factors. It has the primary purpose of testing the efficiency of such applications of the approved tools of tuberculosis control by a study of the effect to be observed on the case incidence and on the death rate.

At the outset it was realized that without the co-operation and support of the citizens, the experiment would fail. Consequently, much attention was given to the forming of a large local committee with sub-committees and neighborhood groups, to the organizing of a medical club for the local physicians, to the uniting of all agencies, public and private, collective and individual, for the furtherance of the project and for the common good.

The forces thus mustered have co-operated well with the staff of experts, the physicians, nurses, clinicians, sanitarians, and others, whose services are indispensable to the demonstration. They have afforded, moreover, a powerful civic machinery for disseminating the propaganda of health education and for supporting measures of health reform and making possible permanent improvement.

The activities of the demonstration having the person as a unit have included a sickness census of more than one third of the inhabitants, two medical examination drives in which two thirds of the population have been examined, infant welfare work, a Von Pirquet tuberculin test of some five hundred children between one and seven years, and the development and improvement of the school inspection system. The community enterprises have consisted of health education, an exhaustive study of the vital records, an investigation of social and economic conditions, and a thorough sanitary survey of everything in the environment understood as being prejudicial to health. The results of

these activities have been analyzed and regularly submitted to the public in the form of elaborate monographs, procurable from Dr. Armstrong on request.

In reviewing the progress of the work to date, the report of the appraisal committee, October, 1919, says:

"The officers in charge of the demonstration have accepted what appears at present the soundest current viewpoint, that the most effective practical procedure for the control of tuberculosis lies in the development of machinery for its early detection and for the hygienic care of those affected or threatened with the disease. . . . The first step along this line must be a determination of the actual prevalence of tuberculous infection . . . and their efforts have been strikingly successful in giving us for the first time a fairly complete picture of the amount of tuberculosis actually existing in a typical American community."

When the health experiment began, 27 cases of tuberculosis were under care in Framingham. There are now 200. The studies of the demonstration have shown that 2.15 per cent of the inhabitants are tuberculous, of which number nearly half (46.5 per cent) have active cases and that a ratio exists of nine active cases to every death from tuberculosis. No less striking, though difficult of interpretation, have been the findings for race groups, where a high proportion of tuberculin reactions (51 per cent) among children of Italian parentage, combined with a case incidence of only .48 per hundred among Italians is sharply contrasted with a low proportion of reactions (30 per cent) in children of Irish stock and a case incidence of 4.85 per hundred for those of this race of all ages.

A very important contribution to the technique of discovering early cases has been the development of a medical consultation service under the skilful supervision of Dr. P. Challis Bartlett. Physicians are said to avail themselves freely of the opportunity of gaining highly specialized diagnostic training, and as a result the proportion of *advanced* cases detected is steadily declining. This consultation service plan has already been successfully used in the Cape Cod district of Massachusetts and elsewhere, and gives promise of being generally adopted.

If the effect which general conditions are believed to exert on tuberculosis be kept in mind, the general health activities will be appreciated

as essential in the control of a scientific experiment. The health figures furnish some of the most complete community data ever obtained. Seventy-seven per cent of those examined were classified as subnormal, one-third from serious defects, and 64 per cent of all troubles was judged to be directly preventable, 22 partly, and but 14 per cent strictly non-preventable. Of particular interest, also, is the stimulation of various lines of public health work by these activities. The money spent in health administration, for instance, has risen from 39 cents to \$2 per capita in the three years of the demonstration, one-half of which is directly obtained in the form of municipal appropriations and the other half through various active private agencies.

Intelligent and successful as the work at Framingham has been, it has not as yet solved the primary problem of the efficiency and practicability of present methods of tuberculosis control; because the period of three years has proved too short to permit of conclusive statistical results. The tuberculosis death rate has fallen from 93 per 100,000 in 1917 to 79 in 1918, and to a rate corresponding to 76 for the first five months of 1919; but the actual number of deaths in this brief period is so small that no reliable conclusions can be drawn. The appraisal committee of outside experts appointed by Surgeon-General Rupert Blue of the U. S. Public Health Service to investigate the work of the Framingham demonstration, after a careful consideration of the facts available, estimated that to warrant reasonably safe conclusions, one or another of the following combinations of tuberculosis death rates must be obtained:

- A rate of 30 or less for any one year
- A rate of 45 or less for any two years
- A rate of 60 or less for any three years
- A rate of 75 or less for any four years
- A rate of 90 or less for all of five years.

With these figures in mind, the committee unanimously recommended a continuation of the experiment for five years more with an additional appropriation of \$100,000 to permit of a definite answer to the question at issue. The recommendation has been accepted and the money granted, and the tuberculosis death rate of Framingham during the next five years should tell us whether tuberculosis can be effectively controlled by the methods now in use or whether new procedures must be devised in the light of further study of the etiology of the disease.

CHARLES C. STOCKMAN, 2D.

What Kind of a War Memorial?—As early in the Great War as 1916, Lawrence Weaver published in London a volume on "Memorials and monuments," in the hope that it might help those preparing to commemorate and "lead them to the artist rather than to the trader." In the United States, while the Peace Conference was yet in session, various bodies and individuals began an agitation against unworthy memorials, in the effort to save us from "after-war horrors."

The New York Public Library has published in its *Bulletin* for August (and reprinted in a separate pamphlet) a list of references on war memorials, which appeared simultaneously in the *Architectural Record* for September. The articles and books here listed have been summarized in such a way that one gets a compact review of what has been printed on the subject within the last few years.

Quite naturally the enthusiastic pleader for this or the other form of memorial is in evidence, but there is likewise much discussion of general principles and much common sense in considering the effect of ill-planned schemes on future generations. The Civic Arts Association (England) remarks that "countless memorials will be in demand, and unless steps are taken to provide direction and advice . . . these will generally be of the usual trivial or commonplace type." "Expert services," says the American Institute of Architects, "are needed before any suitable memorial can take form." Other bodies, besides the two just quoted, have also been active in offering advice and help—the American Federation of Arts, the American Academy of Arts and Letters, and the Municipal Art Society of New York. The emphasis throughout has been primarily on the establishment and definition of general principles rather than on the recital of individual examples, but there are many specific suggestions. The triumphal arch, the elaborate monument, the equestrian statue are obvious, but sculpture is also applicable to the tablet (the importance of the inscription is pointed out by A. Clutton-Buck), the flag-pole base, the bas-relief door. The stained glass window has interesting possibilities. Architectural design may produce the exedra, the colonnade, the roster column, the rostrum, clock-towers, beacons, and shrines. In the domain of landscape gardening, there are fountains, sun-dials, gateways, terraces, playgrounds, village greens, gardens. Trees have a vigorous agitation for themselves on the part of the American Forestry Association. Parks

suggest parts of city plans, municipal centers, avenues, boulevards. Among works of public utility, institutions with an educative, philanthropic, or other social purpose are libraries, schoolhouses, small local museums, hospital wings, etc.

The late *Bellman* informed its readers that: "A new idea has taken root. Most of the plans . . . have embodied the principle of beautiful utility. The thought of the American public has turned from the purely sculptural to that of architectural expression suited to various public uses." There is an active propaganda for community houses and recreation centers, crystallized in the work of the Bureau of Memorial Buildings of the War Camp Community Service. Harbor works, embankments, bridges, viaducts, roads, railway terminals are also among the possibilities noted.

Some writers, of course, oppose these utilitarian proposals, while others cannot see the appropriateness of the triumphal arch. Some wish to accentuate the military side of the matter; others, such as S. D. Adshead, plead for a monument which, "while arousing the best sort of patriotism, holds no sting." It is apparent that the needs and character of each community are to be considered and good taste and common sense applied.

Again and again we are warned to make haste slowly. Charles Moore thinks that "it may well be doubted whether the time has come to express the ideas and ideals of the Great War," and A. C. Benson admonishes his fellow-Britishers to "have a plan and a purpose, and not be in too great a hurry." It appears that the French have forbidden the erection of memorials for ten years. Perhaps we, too, need to learn the advantage of putting thought before action.

FRANK WEITENKAMPF.



Program of the Competition for the Plan of Greater Paris.—Paris is conducting a public competition, open to citizens of Allied countries or members of the League of Nations, for plans for the greater city. The occasion for this competition is the passage last March of the French city-planning law which requires Paris, in common with most cities and many smaller localities in France, to establish a city plan within three years.¹

¹A summary of this bill was given in the October number of the *Review* (Page 535.)

The program of the competition announces that the planning scheme shall include, in accordance with the requirements of the new planning law:

1. A plan, fixing the direction, width and character of highways to be laid out or modified and the location, extent and plan of squares, public gardens, amusement grounds, parks and the various open spaces; and indicating the reserve lands, whether wooded or otherwise, and the sites of future public buildings, utilities and other services.

2. A program of the hygienic, archaeological and aesthetic servitudes to be created, as well as the other conditions to which the scheme is to be subject, especially the open spaces to be reserved, the height of structures and the provisions for drinking water, sewers, the disposition of wastes and, if necessary, the sanitation of the soil.

It is a matter of discussion at present in France whether or not the provisions for the regulation of heights of structures, and for the reservation of open spaces, authorize height and area zoning, which, in France, has never as yet been attempted.

With the exception of the fortifications and districts around them which were to be kept open, the environs of Paris are all densely populated. By a law, long ago proposed and many times introduced, but not passed until last April, the fortifications around Paris are now abolished, and these districts made available for the much needed extension of the congested inner city. Under the new planning law, also, intercommunal and interdepartmental planning action and control are provided for in appropriate cases, and competitors are urged to include neighboring communes and parts of neighboring departments in so far as this is necessary to a complete "regional" plan. Existing laws and regulations are to be kept in mind; but changes may be suggested. Information is given with regard to proposed extensions of subways and other transit lines, increases in port and harbor facilities, and other public works, but here also, alterations, as well as additions and new enterprises, may be proposed. Special attention is called to the need of more parks and other open spaces in Paris proper, the reconstruction of slums, and the increase and improvement in housing, a problem now "so pressing, so agonising, even, that only the believers in collective action seem to have the means of solving it."

FRANK BACKUS WILLIAMS.

Paris Founds a Municipal Review.—As the organ of the "Institute of Urban History, Geography and Economics," founded by the Municipal Council of Paris late in 1916, the city has just issued the first number of a quarterly, entitled "La Vie Urbaine." The institute also includes a library, a bureau of bibliographical and documentary information, a school, laboratories for practical work, and expositions.

The first issue of the magazine is for the most part devoted to city planning, the point of view emphasized being the need, in reconstructing the cities devastated by the war, of planning not the city alone, but the entire region of which it forms part. Especially noteworthy is an article on the "Competition for the Replanning of Chauny and Its Region," by Leon Jaussely, chief architect of the French government, who was the general reporter of the jury of the competition for the restoration of Chauny. This competition is the first of this sort held in France since the war, and, indeed, in many years, general planning having been neglected in France ever since Haussmann's time. The fact that in this competition regional planning was insisted upon is of great significance for the future of city planning in France. Mr. Jaussely illustrates, in a variety of ways, the necessity of such planning not only in the Chauny region but universally. This number of the new review also contains, among other features, an exhaustive article, of great value to the student of the planning of Greater Paris, and, indeed, of any phase of its life and history, on "The Population of Paris in Movement, 1800-1961," with numerous and most detailed maps and tables, by Louis Bonnier, the well known inspector general of architecture and aesthetics of the prefecture of the Seine.

FRANK BACKUS WILLIAMS.



The Conflict of Tax Laws.—By Rowland Estcourt, University of California Press, Berkeley. Dr. Estcourt's brochure is a plea for harmony in the enactment of tax laws throughout the Union. He seems to look, as so many modern experts do, in the direction of further centralization. Old-fashioned people think that there is a certain advantage to be derived from the diversity of experiments in legislation inevitable where a number of independent commonwealths are experimenting with new theories of government. They believe that some states

will surely hit upon methods of administration so obviously superior to others that their procedure will ultimately find universal adoption. Especially is this true in regard to economic legislation because, as the states are more or less consciously competing among themselves for population, that state which first devises the best living conditions for its inhabitants will inevitably outstrip the others in wealth and population. It cannot be said that this theory has been justified in actual experience. Few legislatures number economists in their membership. Some do invite economists to advise them, but as a rule they only adopt the advice when it coincides with their own preconceptions.

The advent of the income tax seems bound to create a situation which will *necessitate* co-ordination. On this subject Dr. Estcourt has many valuable suggestions to make which, if adopted, would doubtless simplify matters very much. He seems to lean to the soundness of the view that "ability to pay," or faculty, as it is called should be the criterion and standard of taxation. But this attitude is modified by his quoting with approval Francis A. Walker's definition: "Ability is determined not by actual income but by the capacity and the faculty of producing income, not by realized but by realizable income." This attitude seems to bring together two schools of thought hitherto deemed to be at loggerheads—the school which believes in taxation according to benefits received and the school which believes in taxation according to ability to pay, apparently another proof that parallel lines meet at infinity.

In his concluding chapter Dr. Estcourt seems to give the Bible as the source of the dictum, "From each according to his ability, to each according to his needs." Turning to his reference, Luke xii, 48, we find the following: "For unto whomsoever much is given, of him shall much be required: and to whom men have committed much, of him they will ask the more." Strictly construed this means that wherever government has by special grants conferred or *given* special privileges, much shall be required, but there is no suggestion that any legal obligation rests upon a man whose property is the product of his own energy and industry, and it does not at all justify the socialistic interpretation often given.

That those who are bountifully endowed with personal ability should help their less fortunate brethren is Christian and ethical, but in dealing

with taxation we consider only what the government may properly require from and enforce upon its citizens as a matter of right.

This pamphlet will repay careful study. It is full of helpful suggestions for those who have to deal with practical tax questions; if it conduces to the establishment of a more orderly and harmonious system, the author may well congratulate himself upon the importance of his achievement.

J. J. M.



Municipal Markets and the High Cost of Living.—During 1918, according to recent census figures, 128 cities of 30,000 population or more maintained 237 municipal markets, of which 174 did a retail business only, 14 wholesale only, and 49 both retail and wholesale. While some of these markets have existed in the United States since 1658 or 1659, 107, or 45 per cent, have been established subsequent to January, 1914. It is known in a general way that these markets have very definite advantages, but so far as we are aware no comprehensive survey has been made to determine just how far they are effective, or might be made effective, in reducing the price of food. The report of the census bureau contains a great deal of data on the number, character, equipment, and operation of municipal markets, but does not compare prices.

A more recent experiment akin to municipal marketing, but one which from its nature can be only temporary, is the sale of surplus army supplies. Here the advantage of price, because prices have been deliberately set by the federal government at less than cost, is more apparent. Large quantities of frozen meats, canned meats and vegetables, bacon, blankets, clothing, and household articles have been placed on sale by the war department. Various distributing agencies have been utilized, municipal officials, privately established stores, curb markets, stores and markets temporarily set up in armories, and postal agencies being among the vehicles employed to make contacts with consumers. These sales have attracted wide attention and in most cases have resulted in promptly disposing of local allotments of supplies. The advantage of price in these sales, however, has in the main reached only to purchasers who participated in the sales; the quantities of food and other supplies offered have been too small in comparison with the regular consumption of the country.

to have any general effect on market prices. Moreover, considerable criticism has been directed against the war department's sometimes inflexible and sometimes vacillating regulations governing the sale of surplus army supplies, and against the fact that a considerable part of these supplies fell into the hands of food speculators through the government's earlier attempt to conduct sales on the bid principle.

Another municipal market experiment is the recently established "cafeteria" community store operated in Philadelphia by the mayor's market commission. The provisions are placed accessibly in the store, so that each customer can select for himself the provisions he wishes to buy, and pay for the goods as he leaves. This, it is claimed, reduces materially the overhead costs. At first the store will sell only smoked meats obtained from packers in the city. These meats will be sold at wholesale prices and in any quantities. If the sale of meats proves a success, packers of canned goods will be asked to furnish their products and other stores will be operated in the thickly populated parts of the city.

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"Six Months of Americanization in Delaware," the second bulletin of the Service Citizens of Delaware, September, 1919, is an account of "a compound of national self-preservation and simple human friendliness," to quote from the preface. The work was an effort "to establish vital contacts and neighborly relationships with the non-English speaking people of the community." The editor tells us that "Americanization is not a fad of philanthropy, a spasm of uplift, or even a demonstration in civics or education"; but one wonders why he should tell us this. The purpose of civics, if it has a purpose, is to establish just the sort of relations the quotation says has been the goal in Delaware. This is so true that the subject is often tautologically referred to as "Community" civics.

Among the chapters of the pamphlet the words "education," and "school" seem to play too large a part for the editor to disavow an educational aim in his work. But why coin these new catch words? "Americanization" either means nothing or else so much that it is of no value. "Reconstruction" has been bandied about until it has lost all definiteness or usefulness. We are in grievous need of sound education, and education particularly in the field of the principles of political organization. Why need we

camouflage and disguise and conceal the real ends we have in view? It is just as important to educate some millions of our English speaking fellow citizens as to teach some of our other fellow citizens to speak English. A man who thinks clearly, lives soberly, and acts honorably without speaking English is a far better American than one who uses English with the greatest fluency but lacks the ideals of democracy and honesty on which the American republic rests.

EDGAR DAWSON.



The Fundamentals of Citizenship is the title of a brochure, published as a reconstruction pamphlet of the National Catholic War Council. It was prepared under the auspices of John A. Lapp, formerly one of the assistant editors of the NATIONAL MUNICIPAL REVIEW. It deals in an attractive and illuminating way with the questions of American democracy, peoples' rights, education, making laws, the courts and their work, taxation, and the citizen's part. It contains an abundance of simple information attractively stated.



Town and City Beautification.—That educational institutions maintained by states should in these days think it worth while to promote what is called "town and city beautification" is significant of a changed attitude toward the amenities of life. A little pamphlet, issued by the Extension Division of the University of Indiana, states the principles of improvement work and backs them up by a carefully prepared series of lantern-slides which are made available through the organization to citizens of Indiana.

In commending this whole proposition it seems desirable to quote a definition on page 11 as follows: "City beautification in its broadest sense includes any action that makes a city more livable."

Many of us have become rather averse to having anything to do with the so-called "city beautiful movement," but upon the basis of this statement it is surely and entirely commendable.

J. HORACE MCFARLAND.



Effective Civil Service Reform Propaganda is the aim and happy accomplishment of a series of four small pamphlets issued by the National Civil Service Reform League. The series, bearing the title, "Hints for Business Men," is worthy of note because of the clever advantage taken of the argument by *reductio ad absurdum*.

Thus the first pamphlet, "How to Apply the Spoils System," lays down a few simple rules for adapting political methods to business, while the second, "How to Increase Labor Turnover," draws the parallel further. The third, in which "the series begins to get serious," deals with the subject, "A Trained Army with Untrained Officers," and shows by comparison with the United States regular army the necessity of trained officers for our army of government employees. The fourth pamphlet, "Efficient Democracy Will Make the World Safe," continuing the use of the war as a text, gains force for the seriousness of its argument by the telling hits that have preceded it. These pamphlets may well be studied by all propagandists. The tendency in propaganda is to be all too serious and dry, to the neglect of many

of the strongest weapons in logic and rhetoric. Here is a refreshing and illuminating contrast.



One Hundred Reasons Why One Hundred Cities have changed from private to municipal ownership of their public utilities is the title of a pamphlet issued by Burns & McDonnell, consulting engineers, of Kansas City. It contains 100 paragraphs of fact and opinion favorable to municipal ownership. The statements of opinion are of value so far as they reflect conclusions based on 20 years' experience in appraising over 100 public utilities that have changed ownership. The general statements of fact relating to the results of municipal ownership in particular cities are convenient for the student as starting points for investigation and study.

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

Progress of City-Manager Plan in 1919.—January 1, 1920, finds the city-manager plan of municipal government more firmly entrenched in the front line of civic progress than its most ardent advocates would have dared to prophesy seven years ago, when Dayton and Springfield, Ohio, the first sizeable commission-manager cities, "dug in" for the advance movement in conducting city business affairs. At the close of 1919, the number of towns and cities in this country reported by the city-managers' association, as operating under, or pledged to, the manager plan, is placed at 165, with two more across the border in Canada. Of this number, 105 are credited with having approved manager charters; 10 more have manager charters with some standard feature lacking and the other 50 have created the position of manager by act of the local council.

The past year has logically lead its predecessors in gains made by the movement. The gain in public confidence and approval is reflected by the numerical increase of city-manager municipalities. Available figures indicate that 35 new cities were added to the list during the twelve months—23 by charter elections, and 12 by action of local governing bodies. The former group comprises: Salinas, California; Sanford, Tallahassee and West Palm Beach, Florida; Rome, Georgia; Hays and McCracken, Kansas; Alma, Lapeer and Muskegon, Michigan; Auburn, New York; Gastonia, North Carolina; Akron and Painsville, Ohio; McAlester and Walters, Oklahoma; Alcoa, Tennessee; Electra and Lufkin, Texas; Bristol, Lynchburg, Newport News and Suffolk, Virginia.

The 12 towns creating the position of manager by ordinance are: Anaheim and Pittsburgh, California; West Hartford, Connecticut; Anamosa, Estherville and Villisca, Iowa; Alliance, Nebraska; Clovis, New Mexico; Kinston, North Carolina; Coshocton, Ohio; Mifflinburg, Pennsylvania, and Woodstock, New Brunswick, Canada.

Frequently cities adopt the manager plan to become effective at some future date. It is accordingly to be noted that during 1919 the plan became effective in but 29 new cities, while

12 more will appoint their first managers in 1920, under charters already adopted. Terrell, Texas, voted in favor of a commission-manager charter in 1918, but did not appoint a manager until the fall of 1919. Watertown, New York, places its first manager in office January, 1920, over four years after "Plan C"—the New York alias for commission-manager government—was adopted by Watertown voters.

Watertown furnishes an excellent example of the voters' slipping out from under party control. "Plan C" provides for partisan elections, yet Watertown, exasperated by the delays credited to the leaders of the dominant political party at the November election, chose a non-partisan mayor and commission by a most decisive majority. Furthermore, a strong effort will be made to secure legislation requiring non-partisan elections in the future. At Auburn, New York, on the other hand, at an election held the same day for the first commission under the manager plan, one party "ousted" the other, according to the newspapers, which prophesy the appointment of a local man as manager and intimate that the position will become a political plum. This seems to be the case at Newburgh, where the manager frankly admits his position is "political" and fears it will be forfeited if the "wrong" party wins the coming election.

Many other elections this past year have offered unique features. Some cities boasted that their new charters had carried 2 to 1. Then Lapeer, Michigan, made it 3 to 1, and Muskegon, Michigan, and Suffolk, Virginia, went ahead, with 4 to 1. The little town of McCracken, Kansas, established a record by giving its charter a vote of 22 to 1—there being but 4 negative votes out of the 12 cast. This record lasted only a few weeks, for Gastonia, North Carolina, with a population of some 20,000, voted in the manager plan with but three opposing ballots. The opinion was so unanimous that only a small vote was cast, yet the ratio went to 5½ to 1, a hard figure to beat.

The "boom" towns of the Texas oil fields are quick to accept the principles of the manager plan. Among those that have grown from villages to cities "over night" under the new form

are Eastland, Electra and Ranger, with Wichita Falls a probable addition. The tendency toward larger commissions is noted in some recent charters and in the amendment of the Albuquerque, New Mexico, charter increasing the number of members from three to five.

Proportional representation has been endorsed by a second successful election at Kalamazoo, and by inclusion in the report of the "committee of fifteen" which unanimously recommended the adoption of commission-manager government with "P. R." for Cleveland, Ohio. A sort of "tacit" endorsement is also to be found in the pre-election agreement at Albuquerque, whereby the business and labor elements mutually agreed to support one candidate from each faction, thus splitting the two new positions to the apparent satisfaction of the voters.

Figures are not available for a comparison between the recent growth of commission, as opposed to commission-manager, government. It is significant that McAlester, Oklahoma, is an addition to the list of the cities changing from the old commission plan to the manager type. The November election at Altoona, Pennsylvania, may also be construed as an endorsement both of the manager plan over the commission and of non-partisan municipal elections. By state law, Pennsylvania cities of Altoona's class have commissions. These commissions are empowered to appoint managers. Altoona has given both plans a fair trial and re-elected its last commission, which had established the manager plan. In spite of the compulsory return of these Pennsylvania cities to partisan elections, the two parties endorsed the incumbents, regardless of their political affiliations.

As to the city managers, the "mortality rate" continues fairly high. The three contributing reasons seem to be: the rapidity of promotion to larger cities, the eagerness with which business corporations tempt successful managers into private enterprises, and the ease with which misfit managers may be released. There have been 25 cases of "promotion" so far, and more are certain to follow soon.

The sixth annual meeting of the city-managers' association was held at Indianapolis in October. The attendance was five times as large as at the first meeting, held in 1914 at Springfield, Ohio. It is significant also, that the associate membership, made up largely of young men planning to enter the new field, has in a single year almost equalled the active membership in numbers.

Nine of these associate members have been appointed city managers during the year.

Success is always a comparative term. Even the continuance or discontinuance of a plan is quite inadequate as a criterion of its success.

We may, however, study figures with a certain satisfaction, in drawing our own conclusions. To those who have advocated only the "simonpure" type of commission-manager government by popularly adopted charter, it is gratifying to recall that of the more than 100 cities venturing into the new field on this basis, not a single one has reverted to the old plan. On the other hand, of those that have tried half-way measures, by appointing managers under provision of local ordinance only, fully one-third have discontinued the experiment.

To the unbiased observer, however, these latter experiments have been quite worth while. A few of them have been such pronounced successes as to furnish substantial endorsement to the manager principle and the failures have served to re-enforce Colonel Waite's dictum: "No city will be better governed than its citizens deserve and desire."



Toledo Car Service Interrupted by Ouster Ordinance.—Toledo awoke on Sunday, November 9, to find that during the night the traction company had run all its cars out of the city, and that the residents were without street car service. This action, resulting from the ouster law¹ submitted to the voters by referendum and approved by a majority of 811 votes at the November election, took both the city officials and the public by surprise. The officials of the company issued a statement explaining that the ouster ordinance was self-enforcing, and that unless they ceased operations they would be guilty of trespassing on the city streets and liable to face damage suits in which they could offer no defense.

City officials, on the other hand, pointed out that the company had in fact occupied the position of trespasser ever since its franchise expired in 1914, and that it had, indeed, been assured that no arbitrary steps would be taken by the city to enforce the ouster. The statement charged the company with attempting to bulldoze the city into accepting a franchise which was drafted entirely in the company's favor.

The deadlock continued until, on December 3,

the city council voted to amend the ouster ordinance by suspension until April 1, 1920. This action was based upon a statement from the federal court that the cars could not be ordered back until action had been taken by council. Service was resumed by the traction company on December 5, the rate of fare effective when the service was interrupted—six cents, with a two-cent transfer—being again put in force.

In explaining his advocacy of the amendment to the ouster, Mayor Schreiber declared that the sole purpose of the ouster ordinance had been not to deprive the city of street car service, but to enable the city to get the best possible terms in making a permanent settlement with the company. He pointed out that between the time of the passage of the ouster ordinance and the November election at which it was approved, a state law had gone into effect prohibiting cities from ordering a public utility to cease operation until application had been made to the public utilities commission and likewise prohibiting a public utility from ceasing operation without having made a similar application.

By the terms of a resolution also adopted at the meeting, council voted to accept the offer of the federal court to appoint a commission to assist in the drafting of a franchise ordinance and a municipal ordinance for submission to the people. It is planned to appoint a commission of citizens, half of whom favor city ownership and the others a franchise. In speaking in favor of this resolution, Mayor Schreiber called upon all citizens to forget class prejudice and get together in an effort to settle the street car problem sanely and wisely.



The Lawrence Plan of Teaching Principals of Government.—What is coming to be known as the "Lawrence plan" is in effect to take an ordinary city school with its regular staff of teachers, and its children drawn from all classes of the community, and systematically infuse both teachers and pupils with the ideas of obligation to the government of the land, and of service in maintaining that government and making it work for the public welfare. The purpose has been not to confine the work to courses in civil government, but to instill the principles of patriotism, good citizenship, of Americanism in its true form, into all the teaching of the school; to make the privileges and duties of membership in the American republic

one of the principal subjects of thought and study at every stage.

The Lawrence plan was inaugurated about the first of this year, and was continued until the end of the school year in June, 1919. It was carried on by the board of directors, consisting of Bernard M. Sheridan, superintendent of the Lawrence schools, chairman; John J. Mahoney, head of the Massachusetts Normal school at Lowell; Professors Hart and Hanus of Harvard; and Professor E. D. Adams, of Leland Stanford University of California, who first suggested the plan.

In order to carry out this method two expert teachers detached from the Lowell Normal school have undertaken to arouse the teachers, making them understand the significance of the American principles of self-government. At the same time they have been grounded in the best way of rousing and keeping up the attention of the pupils in this subject. Americanism is taught in lessons in arithmetic, mother tongue, science, as well as in history and politics. The teachers endeavor to make the children understand how dependent they are for happiness and even life on a good government, in which they are members and have duties. The pupils are further trained in the practice of teaching each other by taking in turn the task of questioning their fellows. This gives rise to debates and discussions in which the teacher stands as a sort of arbiter and guide.

Those who are responsible for this work all believe that they have succeeded in inspiring in the children as a body an appreciation of good government; a knowledge of the things that count in the organization of governments; a sense of the uses and purposes of government; and, above all, a genuine sense of their own duty and responsibility for carrying on government in a republic.



Program of the National American Woman Suffrage Association.—The necessity of special education for the business of being a voter is emphasized in the program adopted by the National American Woman Suffrage Association. The program is summarized in ten paragraphs as follows:

1. Compulsory education in every state for all children between six and sixteen, nine months of each year.
2. Education of adults by extension classes of the public schools.

3. English made the national language by making it compulsory in all public and private schools where courses in general education are conducted.

4. Higher qualification for citizenship and more sympathetic and impressive ceremonials for naturalization.

5. Direct citizenship for women, not citizenship through marriage, as a qualification for the vote.

6. Naturalization for married women made possible.

7. Compulsory publication in foreign language newspapers of lessons in citizenship.

8. Schools of citizenship in conjunction with the public schools, a certificate from such schools to be a qualification for naturalization and for the vote.

9. An oath of allegiance to the United States for every citizen, native or foreign born, to be one qualification for the vote.

10. An educational qualification for the vote in all states after a definite date to be determined.

A committee on American citizenship, of which Mrs. Frederick P. Bagley is chairman, is directing the specific working out of this program.

♦

Texas Bureau of Government Research is Organized.—To further improve instruction in the school of government at the University of Texas, and to develop the facilities now formed for advanced instruction in research, a bureau of government research has been established, with Frank M. Stewart in charge of the staff, and is conducting the work begun by the bureau of municipal research and reference. In addition, research work is being undertaken along other lines.

The primary purpose of the bureau will be to serve as a laboratory and reference bureau for the students in the school. The facilities for the bureau will, in addition, be rendered available whenever possible to public officials, to interested citizens, and to anyone who may call upon the university for government information. The primary aim of the bureau will be to furnish reliable information on government affairs, prepared on a non-partisan basis, and with a view of bringing to public attention such information as will aid in the process of government administration. The efforts of the bureau will be directed along a comparatively narrow line in

which scientific information can be collected and classified.

Digests and bulletins are in preparation on important subjects in state, county, and municipal government. Bulletins which will soon be ready for distribution are: "Public Service Rates in Texas Cities, 1919, Revised Edition," "Offices, Boards, and Commissions of Texas, 1919, Revised Edition," and "The Movement for Reorganization in State Government." Other bulletins are in preparation, and will be completed during the year. The bureau of government research will continue as headquarters of the league of Texas municipalities, and will publish, bi-monthly, an official magazine of that organization now issued under the title *Texas Municipalities*.

♦

Training of Health Officers in Pennsylvania.—The Pennsylvania state department of health is developing a method of training local health officers, who frequently lack experience in solving important sanitary and hygienic problems. This training is of a practical nature, consisting largely of local inspections by state representatives in collaboration with the local officials, followed by advice in determining the most adequate measures for correcting insanitary conditions. The state department also is ready to pass on local plans for the extension of existing or construction of new public waterworks or sewage systems. For the guidance of local boards the department is preparing a series of model health ordinances covering nuisances, housing, milk supply, smoke abatement, plumbing, inspection of public eating and drinking places, fly eradication, and the like. Pamphlets are in course of construction explaining methods of abating nuisances of certain classes, improvements of water supply, and proper methods of sewage disposal in rural districts.

♦

State and County Bond Issues for Highways.—Of the unprecedented state and county bond issues for public improvements, to which we have already called attention, by far the largest items are bonds for highway construction. Issues authorized for this purpose since January 1, 1919, together with a very few prior issues under which little or no expenditure has yet been made, are estimated to amount to \$493,000,000. Proposed issues yet to be authorized are expected to bring the total to \$772,000,000.

II. POLITICS

Governor Suspends Mayor of Canton— Governor Cox, of Ohio, recently suspended from office for thirty days Mayor Charles E. Poorman, of Canton, for alleged inefficiency in handling the steel strike riots. The governor urged a committee of Canton business men to stand by Vice-Mayor Schrantz in maintaining order and protecting property. The governor assured a delegation of Canton business and professional men, who came to hear the sentence of suspension, that Canton would be protected against disorder, but that the citizens must take a stand for law and order and exhaust their resources before he will act. The delegation wanted troops, but the governor demanded an attempt by Canton itself to restore order. The examination before the governor disclosed that only twenty-five rioters had been arrested; that the city had a very small police force; that citizens had made no attempt to enforce order; that the sheriff

deputized no aids, and that municipal court judges dismissed rioters with light fines and suspended prison sentences. The suspension was subsequently made permanent by the governor.

*

Cleveland Informed on Municipal Candidates.— The October issue of *Civic Affairs*, published by the Civic League of Cleveland, followed a policy which similar organizations in other cities might with advantage use more generally. The names of all municipal candidates to be voted on in November were catalogued with data covering their occupations, civic and political experience, and qualifications for public office. The league's first and second, and sometimes third, choices were indicated for each office, these recommendations being made purely on a non-partisan basis of fitness.

III. JUDICIAL DECISIONS

Gas Service.— In the case of the *Miami Gas Co. v. Highleyman*,¹ the Florida supreme court held that where gas is furnished to consumers pursuant to a contract made by a gas company with a municipality, the company may be enjoined from discontinuing the service if rates in excess of the contract rates are not paid. The court said that if changed conditions caused the contract rate to be unremunerative to the gas company the courts may not for that reason decline to enforce the rights of consumers under the contract.

*

Zoning.— The city council of Norman, Oklahoma, passed an ordinance prohibiting certain business from being carried on within 150 feet of a church, school, or hospital. One Walcher, believing the ordinance to be void, started to operate a laundry within ten feet of the church. The church sought an injunction and obtained it in the lower court. The supreme court of Oklahoma in the case of *Walcher v. First Presbyterian Church*² sustained the lower court, holding the ordinance to be of a regulatory nature, not unreasonable, and entirely within the police and sanitary power of the city to enact and enforce, and not in violation of article 14 of the federal constitution.

The court recognized of course that a laundry is not a nuisance per se.

*

Cincinnati Ballot Case.— The Ohio Supreme Court unanimously dismissed the mandamus suits of Eli G. Frankenstein, candidate for mayor of Cincinnati, and his associates who wished places on the city ticket as candidates for other positions. The court sustained the city charter which provided that the mayor elected in November, 1917, should serve a term of four years. Frankenstein and his associates contended that the statutes which fixed the term of two years for all officers still governed, and that the new charter provisions were null and void. The court did not agree with these contentions.

*

Home Rule.— In the case of *Hirschfield v. Cook*³ the appellate division of the supreme court decided that the commissioner of accounts of New York City has no right to inquire into the accounts of the board of education which is supported out of city taxation. The court held that chapter 786 of the laws of 1917 changed the character of the board of education so as to deprive it of its character as a city department and operated to transfer all its powers to new boards of education, forming part of the state

¹ 81 So. 775.

² 184 Pac. 106.

³ 177 N. Y. S. 363.

educational department. New York City therefore can pay its money but cannot inquire into how it is being spent. This case is a splendid illustration of legislative interference with the rights of a supposedly self-governing community.

*

Bond Issue.—Where in 1908 it was decided by popular vote that the city council should have authority to issue bonds for a hospital, the supreme court of Alabama, in the case of *Stokes v. City of Montgomery*,¹ held that there was nothing to prevent the issuance of the bonds in 1919 and the establishment of the hospital, even though the form of government had been changed in 1911 to that of a commission of three members. The court held that the mere lapse of time, if no other objection were shown, would not defeat the authorization given in 1908.

*

Privy Vaults.—An ordinance requiring privy vaults in every house and building, however

used or occupied, and requiring compliance therewith within fifteen days after date of notice from the commissioner of health, or within such further time as he may allow, permits an arbitrary discrimination by him both as to class of buildings and as to time and was therefore held inoperative and void by the Florida supreme court in *Ellis v. Thiesen*.² The court followed the doctrine of *Yick Wo v. Hopkins*.³

*

Fire Prevention.—An inebriates' home was found guilty, in the municipal court, of not being equipped with automatic sprinklers. Section 18 of the city ordinance required this and also that the plans be submitted to and approved by the chief of the bureau of fire prevention. The supreme court of Illinois in the case of *The City of Chicago v. Washingtonian Home*⁴ held that this section of the ordinance was not invalid as delegating to the public officer in question the power to legislate.

ROBERT E. TRACY.

IV. MISCELLANEOUS

Community Kitchen Cuts Living Cost.—The servant problem and the high cost of living have become so acute in Grandview, a suburb of Columbus, Ohio, that the women of the community have initiated steps to relieve the situation, and have incorporated the Grandview Community Kitchen company. Under the management of a dietitian, the community kitchen not only will serve meals at cost, but will provide home delivery service of prepared meals.

Menus are prepared a week in advance and furnished to regular patrons. From these the housewife arranges her own daily menu and the prepared food, in any quantity desired, is delivered at the kitchen door in large thermos containers. By buying direct from the wholesaler and securing roasts at 19 cents a pound when retailers charge 40 and 45 cents, and vegetables at similar reductions, the women claim prepared meals can be provided at a material saving. They also plan to buy fruits and vegetables in carload lots for distribution in Grandview.

The community kitchen is the first of its kind to be established in Ohio. Meals at cost are served in the dining room, with special meals for school children at noon. The kitchen is aimed at service and at reduction of the high cost of living and the high cost of cooks, rather

than at financial gain. Plans already are being made to pattern the idea in Columbus and other Ohio cities, the movement promising to become popular with women's clubs throughout the entire state.

*

Scope and Function of a City Show.—The primary purpose of a municipal exhibit is to visualize to the people the varied activities of the municipality in its efforts to serve the people, so that all may have a better conception of the scope and function of the city's work. Few people in a city come in contact with all the city's activities; consequently the average citizen knows little or nothing about what the city is doing, except in a few departments, and that usually in a most casual sort of way. This leads him to think of his city government chiefly as a spender of his tax money, rather than as a co-operative enterprise for human service and the making of men and women. A municipal exhibit, carefully planned, can bring before the people in a short space of time and in a concrete way the city's activities as a whole, thus producing a mass effect, and developing the civic consciousness so generally lacking in America.

¹ 82 So. 607.

² 118 U. S. 356.

³ 124 N. E. 416.

⁴ 182 So. 663.

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